

HOUSE OF REPRESENTATIVES

TUESDAY, April 8, 1930

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. TILSON].

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Holy! holy! holy! is Thy name, our Father. Again we come the plain, familiar way, and we thank Thee that there is not a step between Thee and us. We praise Thee for the way—the way of repentance, the way of hope, and the way of the soul. Give us truth-loving minds, and make it easier for us to be gentle, just, and loving, and may we know that we are the sons of God and heirs of the heavenly inheritance. Bless our whole country and redeem it from the thrall of materialism, and let Thy kingdom come and Thy will be done everywhere. Direct and bless all instrumentalities that are being used for the education of the ignorant, for the reformation of morals, and for the purification of law. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Crockett, its Chief Clerk, announced that the Senate had passed, without amendment, bills of the House of the following titles:

H. R. 155. An act providing compensation to the Crow Indians for Custer Battle Field National Cemetery, and for other purposes;

H. R. 564. An act for the relief of Josephine Laforge (Sage Woman);

H. R. 565. An act for the relief of Clarence L. Stevens;

H. R. 2029. To authorize the coinage of silver 50-cent pieces in commemoration of the seventy-fifth anniversary of the Gadsden Purchase;

H. R. 2331. An act for the relief of Leonard T. Newton;

H. R. 2825. An act to amend section 5 of the act entitled "An act to establish a national military park at the battle field of Stones River, Tenn.," approved March 3, 1927;

H. R. 3097. An act for the relief of Capt. George G. Seibels, Supply Corps, United States Navy;

H. R. 3098. An act for the relief of Capt. Chester G. Mayo, Supply Corps, United States Navy;

H. R. 3100. An act for the relief of Capt. P. J. Willett, Supply Corps, United States Navy;

H. R. 3101. An act for the relief of Lieut. Arthur W. Babcock, Supply Corps, United States Navy;

H. R. 3104. An act for the relief of Lieut. Edward F. Ney, Supply Corps, United States Navy;

H. R. 3105. An act for the relief of Lieut. Henry Guilmette, Supply Corps, United States Navy;

H. R. 3107. An act for the relief of Lieut. Edward Mixon, Supply Corps, United States Navy;

H. R. 3108. An act for the relief of Lieut. Archy W. Barnes, Supply Corps, United States Navy;

H. R. 3109. An act for the relief of Capt. William L. F. Simonpetri, Supply Corps, United States Navy;

H. R. 3110. An act for the relief of Capt. John H. Merriam, Supply Corps, United States Navy;

H. R. 3112. An act for the relief of Lieut. Commander Thomas Cochran, Supply Corps, United States Navy;

H. R. 4055. An act to authorize a cash award to William P. Flood for beneficial suggestions resulting in improvement in naval material;

H. R. 4289. An act to approve Act No. 55 of the session laws of 1929 of the Territory of Hawaii entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hamakua, island and county of Hawaii";

H. R. 5693. An act providing for retired pay for certain members of the former Life Saving Service, equivalent to retired pay granted to members of the Coast Guard;

H. R. 6110. An act for the relief of the Gray Artesian Well Co.;

H. R. 6131. An act authorizing the Secretary of the Interior to erect a marker or tablet on the site of the battle between Nez Perces Indians under Chief Joseph and the command of Nelson A. Miles;

H. R. 7391. An act that the Secretary of the Navy is authorized, in his discretion, upon request from the Governor of the State of North Carolina, to deliver to such governor as custodian for such State the silver service presented to the United States for the U. S. S. *North Carolina* (now the U. S. S. *Charlottesville*, but out of commission);

H. R. 7701. An act to authorize fraternal and benevolent corporations heretofore created by special act of Congress to divide and separate the insurance activities from the fraternal activities by an act of its supreme legislative body, subject to the approval of the superintendent of insurance of the District of Columbia;

H. R. 7830. An act to amend section 5 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900;

H. R. 7855. An act for the relief of Carl Stanley Sloan, minor Flathead allottee;

H. R. 7984. An act to approve act No. 29 of the session laws of 1929 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within Hanalei, in the District of Hanalei, island and county of Kauai";

H. R. 8143. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the Black River at or near Pocahontas;

H. R. 8294. An act to amend the act of Congress approved June 28, 1921 (42 Stat. 67, 68), entitled "An act to provide for the acquisition by the United States of private rights of fishery in and about Pearl Harbor, Territory of Hawaii";

H. R. 8559. An act to authorize the incorporated town of Cordova, Alaska, to issue bonds for the construction of a trunk-sewer system and a bulkhead or retaining wall, and for other purposes;

H. R. 9046. An act to amend the fourth paragraph of section 13 of the Federal reserve act, as amended;

H. R. 9306. An act to authorize per capita payments to the Indians of the Pine Ridge Indian Reservation, S. Dak.;

H. R. 9894. An act to discontinue the coinage of the two and one-half dollar gold piece;

H. R. 9988. An act granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Red House, N. Y.;

H. R. 10076. An act to amend sections 476, 482, and 4934 of the Revised Statutes, sections 1 and 14 of the trademark act of February 20, 1905, as amended, and section 1 (b) of the trademark act of March 19, 1920, and for other purposes;

H. J. Res. 195. Joint resolution authorizing and requesting the President to invite representatives of the Governments of the countries members of the Pan American Union to attend an Inter-American Conference on Agriculture, Forestry, and Animal Industry, and providing for the expenses of such meeting;

H. J. Res. 197. Joint resolution to authorize the purchase of a motor lifeboat, with its equipment and necessary spare parts, from foreign life-saving services; and

H. J. Res. 227. Joint resolution authorizing the erection of a Federal reserve branch building in the city of Pittsburgh, Pa.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 7881. An act authorizing the Secretary of the Interior to erect a monument as a memorial to the deceased Indian chiefs and ex-service men of the Cheyenne River Sioux Tribe of Indians; and

H. R. 9323. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. S. An act for the relief of Lieut. David O. Bowman, Medical Corps, United States Navy;

S. 215. An act to amend section 13 of the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," as amended by the act of May 23, 1928;

S. 218. An act to place Norman A. Ross on the retired list of the Navy;

S. 304. An act for the relief of Cullen D. O'Bryan and Lettie A. O'Bryan;

S. 363. An act for the relief of Charles W. Martin;

S. 412. An act to authorize the creation of organized rural communities to demonstrate the benefits of planned settlement and supervised rural development;

S. 420. An act for the relief of Charles E. Byron, alias Charles E. Marble;

S. 428. An act to authorize the transfer of the former naval radio station, Seawall, Me., as an addition to the Acadia National Park;

- S. 517. An act for the relief of Arch L. Gregg;
- S. 525. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Louisiana State Museum, of the city of New Orleans, La., the silver service in use on the cruiser *New Orleans*;
- S. 549. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;
- S. 684. An act to amend section 9 of the Federal reserve act, as amended, to authorize the Federal Reserve Board to waive notice by State banks and trust companies of intention to withdraw from membership in a Federal reserve bank;
- S. 686. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910;
- S. 857. An act for the relief of Gilbert Peterson;
- S. 888. An act for the relief of Francis J. McDonald;
- S. 1045. An act for the relief of Sheldon R. Purdy;
- S. 1101. An act to authorize the Postmaster General to investigate the conditions of the lease of the post-office garage in Boston, Mass., and to readjust the terms thereof;
- S. 1252. An act for the relief of Christina Arbuckle, administratrix of the estate of John Arbuckle, deceased;
- S. 1309. An act granting six months' pay to Mary A. Bourgeois;
- S. 1407. An act for the relief of William Zeiss, administrator of William B. Reaney, survivor of Thomas Reaney and Samuel Archbold;
- S. 1572. An act for the relief of the Allegheny Forging Co.;
- S. 1638. An act for the relief of William Tell Oppenheimer, jr.;
- S. 1641. An act for the relief of Thomas A. Dwyer;
- S. 1742. An act authorizing Arthur S. Judy, lieutenant commander, Medical Corps, United States Navy, to accept the distinguished-service medal tendered to him by the President of the Republic of Haiti;
- S. 1748. An act for the relief of the Lakeside Country Club;
- S. 1798. An act for the relief of Alice M. A. Damm;
- S. 1945. An act for the relief of Nellie Francis;
- S. 1952. An act providing a nautical school at the port of New Orleans, La.;
- S. 1959. An act to authorize the creation of game sanctuaries or refuges within the Ocala National Forest in the State of Florida;
- S. 2013. An act for the relief of Germaine M. Finley;
- S. 2076. An act for the relief of Drinkard B. Milner;
- S. 2166. An act for the relief of Richard Riggles;
- S. 2219. An act for the relief of the city of New York;
- S. 2272. An act for the relief of Harold F. Swindler;
- S. 2400. An act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital;
- S. 2414. An act authorizing the Government of the United States to participate in the international hygiene exhibition at Dresden, Germany, from May 6, 1930, to October 1, 1930, inclusive;
- S. 2458. An act for the inspection of vessels propelled by internal-combustion engines;
- S. 2466. An act to carry into effect the findings of the Court of Claims in the case of William W. Danenhower;
- S. 2467. An act for the relief of William Hensley;
- S. 2559. An act authorizing the attendance of the Marine Band at the Confederate Veterans' reunion to be held at Biloxi, Miss.;
- S. 2608. An act for the relief of William C. Rives;
- S. 2662. An act for the relief of Della D. Ledendecker;
- S. 2718. An act for the relief of Stephen W. Douglas, chief pharmacist, United States Navy, retired;
- S. 2814. An act to authorize the erection of a suitable statue of Maj. Gen. George W. Goethals within the Canal Zone;
- S. 2859. An act to extend the times for commencing and completing the construction of a bridge across the Monongahela River at or near Fayette City, Fayette County, Pa.;
- S. 2873. An act to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy;
- S. 2908. An act extending protection to the bald eagle, the emblem of the United States, and for other purposes;
- S. 3026. An act authorizing the General Accounting Office to make certain credits in the accounts of Horace Lee Washington and Arthur B. Cooke, United States Consular Service;
- S. 3038. An act for the relief of the National Surety Co.;
- S. 3039. An act for the relief of the estate of George B. Spearin, deceased;
- S. 3043. An act authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor;
- S. 3045. An act for the relief of Walter P. Crowley;
- S. 3184. An act to permit the county of Solano, in the State of California, to lay, construct, install, and maintain sewer outlets over and across the Navy longitudinal dike and accretions thereto in Mare Island Straits, Calif.;
- S. 3185. An act to authorize the Secretary of the Navy to dispose of material no longer needed by the Navy;
- S. 3202. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.;
- S. 3425. An act to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium";
- S. 3440. An act authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Kingle Ford Valley, for addition to the park system of the National Capital;
- S. 3441. An act to effect the consolidation of the Turkey Thicket Playground, Recreation and Athletic Field;
- S. 3448. An act to amend the act of February 21, 1929, entitled "An act to authorize the purchase by the Secretary of Commerce of a site, and the construction and equipment of a building thereon, for use as a constant frequency monitoring radio station, and for other purposes";
- S. 3449. An act to amend section 4404 of the Revised Statutes of the United States, as amended by the act approved July 2, 1918, placing the supervising inspectors of the Steamboat Inspection Service under the classified civil service;
- S. 3473. An act to amend the act of Congress approved March 16, 1926, establishing a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes;
- S. 3538. An act to authorize the Secretary of Commerce to convey to the city of Port Angeles, Wash., a portion of the Ediz Hook Lighthouse Reservation, Wash.;
- S. 3566. An act authorizing the President to place Lieut. (Junior Grade) Christopher S. Long, Chaplain Corps, United States Navy, upon the retired list of the Navy;
- S. 3607. An act granting the consent of Congress to the State of New York to construct, maintain, and operate a free State highway bridge across the Allegheny River, at or near Red House, N. Y.;
- S. 3618. An act granting the consent of Congress to rebuild, reconstruct, maintain, and operate the existing railroad bridge across the Cumberland River near the town of Burnside, in the State of Kentucky;
- S. 3642. An act for the relief of Mary Elizabeth Council;
- S. 3648. An act to correct the naval record of Edward Earle;
- S. 3653. An act to amend an act entitled "An act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes," approved May 17, 1928;
- S. 3714. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at Mount Carmel, Ill.;
- S. 3715. An act authorizing the State Highway Board of Georgia, in cooperation with the State Highway Department of South Carolina, the city of Augusta, and Richmond County, Ga., to construct, maintain, and operate a free highway bridge across the Savannah River at or near Fifth Street, Augusta, Ga.;
- S. 3741. An act to extend the times for commencing and completing the construction of a bridge across the South Fork of the Cumberland River at or near Burnside, Pulaski County, Ky.;
- S. 3742. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Burnside, Pulaski County, Ky.;
- S. 3743. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Canton, Ky.;
- S. 3744. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near Eggners Ferry, Ky.;
- S. 3746. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky.;
- S. 3775. An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes;
- S. 3784. An act for the relief of John Marks, alias John Bell.
- S. 3820. An act to extend the times for commencing and completing the construction of certain bridges in the State of Tennessee;
- S. 3893. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the State of South Da-

kota the silver service presented to the United States for the cruiser *South Dakota*;

S. 3895. An act to authorize the Commissioners of the District of Columbia to widen Wisconsin Avenue abutting squares 1299, 1300, and 1935;

S. 3910. An act to authorize the President to appoint Capt. Charles H. Harlow a commodore on the retired list;

S. J. Res. 24. A joint resolution for the payment of certain employees of the United States Government in the District of Columbia and employees of the District of Columbia for March 4, 1929;

S. J. Res. 127. A joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to William Jennings Bryan;

S. J. Res. 140. A joint resolution to provide for the erection of a memorial tablet at the United States Naval Academy to commemorate the officers and men lost in the United States submarine *S-4*;

S. Con. Res. 14. Concurrent resolution requesting the Secretary of the Navy to detail a medical officer for duty as physician to the Senate and House of Representatives; and

S. Con. Res. 26. Concurrent resolution authorizing the holding of hearings by the joint committee to investigate the pay and allowances of personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7960) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war."

The message also announced that the Senate requests the House of Representatives to return to the Senate the bill (S. 3607) entitled "An act granting the consent of Congress to the State of New York to construct, maintain, and operate a free State highway bridge across the Allegheny River at or near Red House, N. Y."

WORLD WAR VETERANS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to proceed for three minutes. Is there objection?

Mr. SNELL. May I inquire what the gentleman desires to say?

Mr. TARVER. I want to ask for the insertion in the RECORD of a certain decision by the Director of the Veterans' Bureau concerning a matter of interest to thousands of World War veterans throughout the country. I can not describe it more fully unless I have the three minutes requested.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. TARVER. Mr. Speaker and Members of the House, on February 21, 1930, during the consideration of the deficiency appropriation bill, a discussion arose in the House with reference to an amendment offered by myself concerning the right of World War veterans who filed their claims under the war risk insurance act prior to June 7, 1924, but who did not submit proof showing service connection of their disabilities until after that date to receive compensation for periods prior to that time during which they were disabled to a compensable degree and not for more than two years prior to the filing of their claims. Compensation in this class of cases for any period prior to the passage of the World War veterans' relief act, June 7, 1924, had been refused by the director in a decision No. 222-A.

Since that time I have had up the subject matter with the director, and he agreed to have the entire question reviewed by the legal counsel of the bureau. Thereupon a decision was rendered reversing the previous decision of the director in so far as it related to that particular class of cases. A rule has been promulgated by which veterans who filed their claims under the original war-risk insurance act and who subsequently to June 7, 1924, submitted their proof, showing service connection of their disabilities would be authorized to receive compensation for not more than two years antedating the filing of their claims. The matter, as I said, is of great interest to many thousands of World War veterans, and is of particular importance in connection with the bill H. R. 10381, which is to be considered in the House next Tuesday.

I therefore ask unanimous consent that the correspondence between myself and the director in reference to the subject matter and the decision I have referred to be inserted in the RECORD in connection with my remarks.

Mr. SNELL. Mr. Speaker, will the gentleman yield there?

Mr. TARVER. Yes.

Mr. SNELL. Does the gentleman think that all decisions of the Director of the Veterans' Bureau should be inserted in the RECORD?

Mr. TARVER. The director has stated that these claims involve a matter of \$42,000,000. Many of these veterans whose claims for retroactive compensation have been heretofore denied may not know that they are at liberty to ask a review of their claims unless they see this decision, and I, therefore, ask unanimous consent to insert it in the RECORD in order that it may be called to their attention.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Following is the correspondence, together with the decision, referred to:

FEBRUARY 22, 1930.

Re: Tracy, Eugene T., C-1-121-137.

Gen. FRANK T. HINES,

Director Veterans' Bureau, Washington, D. C.

DEAR GENERAL HINES: With further reference to the above-stated case, and to recent correspondence I have had with you concerning the subject matter of payments in this and other cases supposed to be similar, I beg to state I think the debate in the House on yesterday indicates that there is a misunderstanding of just what change in existing law relative to this subject matter is to be effected by the bill reported from the World War Veterans' Legislation Committee. You will note from pages 4089 et seq. of the RECORD that Chairman JOHNSON, of the above-named committee, insists that the effect of the proposed amendment is merely to prevent the allowance of compensation prior to June 7, 1924, in cases service-connected under the provisions of the act approved on that date.

If this is a correct contention, the claims of the dependents of the above-named veteran should not be affected by the passage or not of the proposed legislation, by reason of the fact that Tracy's claim has been substantiated by evidence recognized by the bureau as bringing it within the provisions of the original war risk insurance act, and the only question is whether the rights acquired under the war risk insurance act by veterans were destroyed by the passage of the act of June 7, 1924, which I think can not be logically insisted is true.

I, therefore, earnestly request that this veteran's file be reviewed and that since the proposed amendment to existing laws can not properly be held applicable to his case if it has no further effect than is insisted by Chairman JOHNSON that the compensation due him for the period prior to June 7, 1924, when he was disabled by active tuberculosis shall be paid to his dependents.

Yours truly,

M. C. TARVER.

MARCH 1, 1930.

Tracy, Eugene Thomas, XC-1,121,137; McCraw, Grover Cleveland, XC-1,334,834.

Hon. M. C. TARVER,

House of Representatives, Washington, D. C.

MY DEAR MR. TARVER: This will acknowledge the receipt of your letter dated February 22, in which you make exposition of the trend of the debate in the House on Friday of last week, and express the opinion that the proposed amendment has nothing to do with the propriety or impropriety of retroactive payment of compensation in this case, and accordingly suggest that the bureau give further consideration to the possibility of immediate action looking toward such payment.

Although the basis for retroactive payment of compensation, if any, in the Tracy case, is such that it may appear not to be affected by the proposed amendment which has been under discussion in the House, the basis for such retroactive payment in the Tracy case was part of the subject of consideration by the Comptroller General to which the bureau has alluded in its previous communications. In view, however, of the fact that it does not appear that the consideration being given by the Congress presently embraces the aspect of the matter involved in the Tracy case, prompt and careful consideration is being given to the possibility of payment as you suggest without awaiting congressional action.

The matter involves considerable complexity and will therefore require some deliberation. You may be assured, however, that it is being promptly considered and that you will be fully informed in the entire premises at an early date.

Your clear conception of the issues in this matter and your invaluable aid in clarifying the issues before Congress are most deeply appreciated; and the bureau is desirous of affording you all possible information looking toward a definite settlement of all of the issues involved.

Very truly yours,

FRANK T. HINES, Director.

MARCH 18, 1930.

Re: Tracy, Eugene Thomas (XC-1-121-137); McCraw, Grover Cleveland (XC-1-334-834).

Gen. FRANK T. HINES,

Director Veterans' Bureau, Washington, D. C.

DEAR GENERAL HINES: Reference is had to your letter of March 1, 1930, concerning whether or not the proposed amendment to the World War veterans' relief act making compensation under the terms of that act nonretroactive beyond June 7, 1924, would affect claims of the above-named veterans for retroactive compensation.

The proposed amendment is included in H. R. 10381, now on the Union Calendar, and is contained in section 18 of that bill. It reads: "Provided, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act as amended for any period prior to June 7, 1924."

I note from your letter of the date referred to that the subject matter was receiving consideration at that time, but I am very anxious, if possible, that the construction given it may be available prior to the time when this bill will come before the House for consideration, as I consider this question of considerable importance.

If the amendment means nothing more than that rights which accrue to veterans for the first time by virtue of the act of June 7, 1924, would not entitle them to compensation prior to that date, I can see no objection to it. If, however, it would be construed to mean that rights existing under prior legislation and preserved to the veteran by the act of June 7, 1924, shall not be observed retroactively to the time of their accrual under prior legislation, then an entirely different question is presented.

I am, therefore, anxious that I may be informed as to the result of the consideration given the matter at as early a date as may be practicable.

Yours truly,

M. C. TARVER.

MARCH 27, 1930.

Re: Tracy, Eugene T., XC-1-121-137.

Gen. FRANK T. HINES,

Director Veterans' Bureau, Washington, D. C.

DEAR GENERAL HINES: With reference to your phone call of last Monday, would you be kind enough to furnish me with a copy of the decision of the legal service in the above-stated matter?

Thanking you, I am, yours truly,

M. C. TARVER.

UNITED STATES VETERANS' BUREAU,
Washington, April 7, 1930.

Hon. MALCOLM C. TARVER,

House of Representatives, Washington, D. C.

MY DEAR MR. TARVER: Further reference is made to your letter of March 27, 1930, relative to the case of Eugene T. Tracy.

In accordance with your request there is transmitted herewith a copy of the opinion of the general counsel in this case which was approved by the director on April 3, 1930.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

APRIL 3, 1930.

Tracy, Eugene T., XC-1-121-137.

ASSISTANT GENERAL COUNSEL,

The Director.

Reference is made to the memorandum of the general counsel dated March 17, 1930, approved by you March 20, 1930, recommending modification of bureau precedents relating to retroactive payments in cases where service connection under section 300 of the war risk insurance act, as amended, is established by evidence submitted subsequent to June 7, 1924. This memorandum, among other things, recommended that the following rule be adopted.

"That where a man who has a 10 per cent disability prior to June 7, 1924, files a claim prior to June 7, 1924, and is entitled to service connection for such disability under the presumptive provisions of section 300 he be permitted to file his proof in accordance with the provisions of section 300 of the war risk insurance act, as amended, after June 7, 1924, and payment of compensation be made to him two years prior to date of claim."

This, as explained in the memorandum of the assistant general counsel which accompanied the general counsel's memorandum, is a reversal of the former ruling of the bureau, which is stated formally in Director's Decision No. 222-A, in the following language:

"No evidence can be accepted by the bureau subsequent to June 7, 1924, for the purpose of proving that a claimant was entitled to compensation under the first proviso of section 300 of the war risk insurance act, as amended."

There is now pending in this service a submission from the assistant director, adjudication service, the case of Eugene T. Tracy, XC-1-121-

137. This is one of the cases in which Congressman MALCOLM C. TARVER is interested, and the facts may be stated as follows:

Eugene T. Tracy entered the military service on May 6, 1917, and was honorably discharged therefrom on March 17, 1919. He filed claim for disability compensation on May 1, 1923, alleging the nature of his disability to be catarrh of the head and stomach and pyorrhea. The first examination by the bureau is dated May 19, 1923, and contains a diagnosis of deviated nasal septum and varicosities of left leg and knee; no lung pathology was noted, the report stating in connection therewith as follows: "Chest good shape—good mobility—measurements, 37-37-33." His claim was denied. The next examination was conducted May 12, 1924, and he was found to be suffering from moderately advanced pulmonary tuberculosis, active, following which the claim was again disallowed on the ground that evidence did not show that active tuberculosis was found upon examination by a legally qualified physician within the 3-year period in accordance with the terms of the first proviso of section 300 of the war risk insurance act, as amended. Subsequent to the passage of the World War veterans' act, June 7, 1924, the case was reviewed and connected with the service under section 200 thereof, the disability being held to be less than 10 per cent from discharge to May 12, 1924, and temporary total thereafter.

On July 25, 1924, the veteran inquired as to whether his rating was under the old law or the new, and thereafter made every effort to substantiate a right under the old law. He died on December 16, 1925, in the United States Veterans' Bureau Hospital, Fort Bayard, N. Mex., without having overcome the two difficulties which confronted him, which were, first, the rulings of the bureau as enunciated in Director's Decision No. 222-A; and second, the lack of evidence that he was suffering with active tuberculosis of a 10 per cent degree or more of disability within three years after separation from the service, as shown by the examination report of a duly qualified physician.

After the veteran's death his representatives submitted an affidavit from a physician stating that he had treated the veteran in March, 1922, and found him suffering from loss of weight, fever, sallow complexion, cough, and great expectoration, and moist râles in the upper lobe right lung. On the strength of this evidence, the rating was amended as follows:

"No disability from date of separation from active service to 3-16-23; temporary partial 25 per cent from 3-16-23 to 5-12-24; temporary total from 5-12-24 to 6-10-24; permanent and total from 6-10-24 to 12-10-25, date of death, under regulations 73; service connected under section 200, World War veterans' act, 1924; pulmonary tuberculosis, chronic."

Thereafter it was necessary to inform the representatives of the veteran that in spite of the amended rating the precedents of the bureau did not permit payment of compensation for any period prior to June 7, 1924. However, the application of the rule laid down in the first paragraph of this memorandum will permit the payment of compensation for a period two years prior to the date of filing claim if the rating so warrants, the theory being that this veteran had an accrued right under the presumption provisions of section 300 of the war risk insurance act, which was saved to him by section 602 of the World War veterans' act.

Claim was filed on May 1, 1923, and therefore compensation is payable in accordance with the rating for any period during which the veteran was disabled, but not more than two years prior to May 1, 1923.

J. O'C. ROBERTS.

A CONSTANT FREQUENCY MONITORING RADIO STATION

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3448 and consider the same.

Mr. SNELL. May I ask the gentleman the reason for bringing this up at this time?

Mr. GARNER. As I understood in conversation with the gentleman from Indiana a moment ago, the identical bill passed the House yesterday afternoon by unanimous consent. Is that correct?

Mr. ELLIOTT. That is correct.

The SPEAKER pro tempore. The Chair understands that at about the same time it passed the Senate.

Mr. ELLIOTT. Yes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

S. 3448

A bill to amend the act of February 21, 1929, entitled "An act to authorize the purchase by the Secretary of Commerce of a site, and the construction and equipment of a building thereon, for use as a constant frequency monitoring radio station, and for other purposes"

Be it enacted, etc., That the act entitled "An act to authorize the purchase by the Secretary of Commerce of a site, and the construction and equipment of a building thereon, for use as a constant frequency monitoring radio station, and for other purposes," approved February 21, 1929, be, and the same is hereby, amended to read as follows:

"That the Secretary of Commerce be, and he is hereby, authorized to purchase a suitable site, provided a suitable site now owned by the Government is not available for the purpose, and to contract for the construction thereon of a building suitable for installation therein of apparatus for use of a constant frequency monitoring radio station, and for the facilities, at a cost not to exceed \$80,000."

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the Senate bill was passed was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the special order of the House the gentleman from New York [Mr. SIROVICH] is recognized for 60 minutes.

Mr. SIROVICH. Mr. Speaker, when we call the roll of all the great governments that have existed in ancient days, and let them march across the stage of time, we find three distinct forms of government that ruled the people of antiquity.

The first form is called an oligarchy. Here supreme power is restricted to a few who have been self-appointed, self-anointed, and self-constituted to look after the welfare of their peoples. Such a form of government was found among the ancient Assyrians, Babylonians, Egyptians, and Persians.

The second form of government, found in the Orient, is the patriarchal type which is symbolized by the ancient Semitic group in Judea, represented by the fathers and prophets of Israel, such as Abraham, Isaac, and Jacob.

The third form of government, hoary from remote antiquity, is represented by the despotic monarchy, which was found among the Chinese, Japanese, Hindus, and Indian Empire.

These three forms of government—namely, the oligarchical, the despotic, and the patriarchal—lived, thrived, and flourished during their time, and inculcated religion as a part of the government of their day. Each of these forms is furthermore characterized by the fact that those who ruled absolutely, controlled the religious as well as the political destinies of their subjects. Thus we find in the early history of the world the union of church and state; spiritual and temporal powers united.

As the years rolled by, sovereign government moved from the Orient to the Occident. Civilization passed from the east to the west.

The dawn of Grecian culture manifests itself in an aristocratic government in its early period of existence. Within a few centuries the golden era of Grecian civilization comes to the fore. Pure democracy has its birth and its inception. Solon, the lawgiver, was the founder of democracy, and not many centuries later the great Periclean age appears. Such eminent philosophers as Pythagoras, Socrates, Plato, and Aristotle gave their profound wisdom and their intellectual genius as a contribution to the world of yesterday, to-day, and to-morrow.

In Plato's Republic the state is created for the benefit of the individual. The happiness of the individual is supreme. One exists for the other. In those days Athens was mistress of the world.

To the south of the Athenian Republic was the great state of Sparta. Sparta was the first communistic government in the world. The individual meant nothing. Men and women were the pawns of the state. Children belonged to the state and not to their parents. And so in time the communistic cradle of Sparta, rocked by its founder and apostle, Lycurgus, crumbled, collapsed, and was consumed in the ashes of time.

Upon the distant horizon the Roman soldiers are marching. Each legion carries upon its flag the three Latin words, "Civis Romanus sum." "I am a Roman citizen." Woe unto those nations or peoples that would destroy or defile the rights of Roman citizenship. The democracy of Julius Caesar lives and thrives. In militant fashion these Roman soldiers carried the culture and civilization of the Roman Republic to all the known corners of the world. Caesar is assassinated. Democracy falls with him. A benevolent monarchy under Caesar Augustus takes its place. Years pass, and we find a despotic monarchy again in the saddle. Nero fiddles while Rome is in flames.

The tyrant Caligula persecutes and oppresses the Roman citizenship. Militarism and autocracy reign supreme. Prisoners of foreign climes infiltrate all of Rome. Debauchery takes the place of decency and self-respect until in the year 476 A. D. the sun sets upon the civilization and glory of Rome and Rome is destroyed. [Applause.]

From the year 476 A. D. to 1454, when Gutenberg invented and perfected printing by movable type, this period of 1,000 years is known as the Dark Ages. This 1,000-year period witnessed the development of two forms of governmental evolution.

First, the great Holy Roman Empire, under the spiritual and temporal protectorate and supervision of the Pope, spread its

benevolent influence in preserving the education and culture of ancient times, and bequeathed them through the invention of printing and books to the culture and civilization of modern days.

Second, the feudalistic period, an economical, social, and political system under which petty lords, dukes, and barons controlled their form of government, and business, which was primarily agriculture. It was a period in which the peasants were the slaves of their overlords and paid them tribute for protection in their hour of need.

This system of governmental racketeering through the feudal lords was destroyed through the instrumentality of a German Catholic monk, whose name was Bernhard Schwartz. He lived in the humble town of Pistola, Italy.

Through a mechanical contrivance which the monk called the pistol, naming it after the town in which he lived, he utilized gunpowder, which made the humblest peasant the equal of his most exalted duke, lord, or baron. The bullet in the hand of the serf could penetrate the armor of any overlord. Thus gunpowder leveled the duke to a parity with the agricultural serf.

Through printing, religious reformations, discovery, and exploration a new period is ushered into the civilization of mankind. This era is called the Renaissance. It is the rebirth and revival of knowledge, education, and culture. This era marks the beginning of the break between church and state, and brought about religious differences which still exist throughout the world.

In my humble opinion the most important, the most vital and outstanding characteristic of this era is the slow trend toward constitutional monarchy which developed in England.

The Anglo-Saxon government began when the common people of England realized that one strong government was to be preferred to many weak ones, and determinedly showed their sentiments at Runnymede in 1215, when the nobles, the clergy, the merchants, and freemen of the whole land rebelled against the outrageous exactions of King John I.

The people compelled King John to sign that great human, immortal document known as the Magna Charta, and since that day this human document has been the basis of English liberty. It marks the beginning of government by the people of England.

In 1295 King Edward I called the first Parliament together. It was the first meeting of the House of Commons and the House of Lords. This was the beginning of a most important forward step in the democracy of government.

The English, therefore, were united under one strong ruler, and enjoyed a greater measure of participation in their own government long before any of the other peoples of Europe.

The ancient Republics of Athens and of Rome had government controlled only by the citizens of the city. Neither of them ever provided means by which the citizens in distant places could have a share in deciding national policies without making a journey in person to the home city.

This representative principle adopted by the English has made possible the formation of democratic governments covering a wide area, and set up in England the splendid and superb principle of no taxation without representation.

During the reign of King Charles I the House of Commons appealed to His Majesty with a bill of rights, challenging the King's contention to spend the public money without authorization of the House of Commons. This petition was originally introduced in the House of Burgesses in Virginia in 1624 and transmitted to the House of Commons as their petition of rights. Because of his despotism Charles I was beheaded.

From 1649 to 1660 we had the protectorate. Cromwell, like Mussolini of Italy to-day, became the dictator of England.

During the reign of King William and Mary in 1689 there developed the great Bill of Rights, which is one of the most important documents in the English constitution. This, too, marked a great step in the triumphant march of democracy.

A comparison of the Bill of Rights with the first 10 amendments to the United States Constitution will reveal many interesting similarities.

The cabinet system of government was also inaugurated about this time. The custom of choosing ministers from the party having a majority in the House of Commons grew stronger and more powerful every day. The Prime Minister was invariably the leader of the party in power.

From that time to the present day the British King never vetoes any law. The House of Lords can not permanently prevent a measure from becoming a law.

Thus the modern cabinet system enables the voters to control both the Parliament that makes the laws and the agencies that carry out the law.

And so we see in a period of five or six centuries the evolution, development, and perfection of constitutional government in

England with their tremendous influence in continental Europe, especially in Germany and France.

About the year 1776 there took place three great revolutions which transformed every aspect of society and made possible the modern world in which we now live.

The first movement was the intellectual revolution which gave birth to new points of view in literature, science, art, and philosophy.

In the second category we find the American and the French Revolutions, which proclaimed the democratic principles of government.

The third was the industrial revolution in England, which inaugurated our present economic and capitalistic life.

The intellectual revolution was responsible for the advanced thought of that period. The great authors and writers took up the social, the political, the economic conditions of their day in a way unparalleled for its virulence, its audacity, and its uncompromising radicalism.

Voltaire excoriated the church. Montesquieu attacked monarchy. Rousseau pilloried the old political system of the King and his state. He substituted the doctrine of popular democracy for that of the divine right of kings.

Political economy was founded by Turgot in France and by Adam Smith in England. These writers made the people think in terms of their environment from an economic point of view, and taught men to identify progress and the material well-being of the individual.

In the past progress had meant only religious, moral, and intellectual enlightenment.

The great industrial revolution started in England about the same time. This revolution was a silent one. No bullets and no shots were fired. It marked the greatest of all revolutions in the history of the world. It brought medieval civilization to an end. It characterized the beginning of our present state of society.

This revolution was brought about by several extraordinary inventions made by Englishmen, Americans, Germans, and Frenchmen.

These geniuses, through the fertility of their imaginations, subjugated the forces of nature to serve the will of man. Thus was ushered in the powerful influence of the industrial revolution.

Behold Watt's steam engine, Stevenson's locomotive, Fulton's steamboat, Whitney's cotton gin, Morse and Bell in telegraph and telephone. These inventions created revolutions in factories, revolutions in transportation, revolutions in communication, and, last but not least, revolutions in manufacture and industry.

Then came the greatest revolution of all. It was the revolution against the despotism of monarchy and all that it stands for.

It was about this time that our colonial forefathers were being persecuted and oppressed. Men like Benjamin Franklin, Thomas Jefferson, Thomas Paine, John Adams, John Hancock, James Madison, James Monroe, Patrick Henry, George Washington, sat in their respective homes, meditating, pondering, and deliberating what free men should do when tyrants persecute and deny to them the rights, privileges, and prerogatives of justice, in the government of their homes.

There in panoramic fashion, as they sat in the libraries of their humble homes, passed before them all the various forms of government that I have enumerated, that existed in ancient, medieval, and in their own time.

Thus inspired by the rights of free men they assembled in convention and proclaimed before God and man that they challenged the right of any king to rule by divine right. [Applause.] Then and there they enunciated for the first time the philosophy of democracy—that all governments derive their just powers from the consent of the governed. Within a few years they threw off the yoke of King George III, and established a government by the people, founded upon the firm foundation of the Declaration of Independence and the Constitution of the United States. They pledged everything they held near and dear in life; their means, their property, their homes, yea, even their lives, that such a government should and must be established for the benefit of mankind. [Applause.]

These documents boldly proclaimed the philosophy that all men are free and remain equal in rights; that laws and government are expressions of popular will; that the people instead of the king are sovereign. It guaranteed equal opportunity to all and special privileges to none.

It protected the individual, his home, his property, and his life by granting him the freedom of speech, freedom of the press, and freedom of religious worship. It placed democracy in his home, his hearth, his fireside. In schoolhouses through education they said to the world: The child is not the mere

creature of the State; those who nurture him and direct his destiny have the right coupled with the high duty to recognize and prepare him for additional obligations. Thus it granted to all parents the right to send their children into the temples of the schoolhouse, there to carry along with them the influence and antecedents of their home, and to back all these privileges with the power and prestige of the Government to see that all children might impartially drink deeply from the fountain of education. [Applause.]

It secured democracy in government by having three distinct branches, namely, the executive, the legislative, and the judicial, each independent of the other and all coordinated together for the benefit of all of the people of our Nation.

To the individual it granted every incentive in life to make him climb the ladder of fame and fortune, in the protection of the property rights that he has earned by the sweat of his brow. And above all inculcated into the hearts, into the minds, and into the souls of every free man of our Republic the belief that in this land of equal opportunity his children might have the privilege of holding the humblest as well as the greatest office at the gift and disposal of the American people, irrespective of class, creed, or color.

Such, Mr. Speaker, ladies and gentlemen of the House, are the ideals, the principles, the philosophy of democracy in the republican form of government that our forefathers granted to all of our citizens in 1789, when George Washington assumed the first Presidency of our great Republic. [Applause.]

The close of the eighteenth and the opening of the nineteenth centuries witnessed manifold changes wrought by the cataclysmic influences of the political, intellectual, and industrial revolutions. Most immediate was the combustion created by the fire of democracy, whose sparks veritably flew eastward across the Atlantic from America to France. Mirabeau, Robespierre, Marat, Danton, Turgot, and Napoleon, these French leaders changed the political, economic, and geographic complexion of all of Europe. Crowns have rested most uneasily on the heads of despots and tyrants since the American and French Revolutions. This period ushered in not only new eras in the political and industrial life of the nations of the world but succeeded after many centuries of tireless effort in democratizing all education. Prior to this epoch of "revolution" education was the sole possession of a limited, aristocratic class, trained for the most part in classical literature. Labor, on the other hand, was found on the farm—tilling the soil. Agriculture was still in a primitive state. The invention of machinery moved the farmer from agriculture to the factory of industry. From the farm in the country to the factory in the city. Thus came the rise of the factory system, with the concomitant movement of millions of men and women from rural to urban communities. This movement revolutionized the education of the masses of mankind seeking equal opportunities of education and culture for their children. Thus arose democracy in education.

Napoleon Bonaparte passed quickly from Waterloo to a lonely exile in St. Helena. A gasping world lapsed once more into black reaction. The reign of the despots, however, was destined to be short lived. Prince Metternich, the Prime Minister of Austria, representing the great monarchies of Austria, Germany, Russia, and Spain, attempted to make the world safe for absolute monarchy through his conception of the Holy Alliance.

The purpose of this alliance was to check the growth of democracy and give back the Republics of South America to Spain, from whom they had revolted, as well as to establish a kingdom in Mexico. Metternich was checkmated with remarkable celerity by our own great President James Monroe and his memorable Monroe doctrine, which said to the monarchs of this Holy Alliance, "So far canst thou go, but no farther." That an attempt to further monarchy in South or North America would be considered an overt act, yea, a declaration of war. That move of Monroe challenged the progress of monarchy. A century later the immortal Woodrow Wilson was to reecho Monroe's sentiments in his enunciating the aim of the Allies in the World War to "make the world safe for democracy." That philosophic sentiment of our entrance into the World War will live on through the ages as the challenge of democracy to monarchy to survive and to rule the destinies of the world. [Applause.] Armistice Day, 1918, witnessed the crumbling of three great despotisms, Russia, Germany, and Austria. As a consequence of the great conflagration that engulfed the world in the second decade of the twentieth century the houses of Hohenzollern, Hapsburg, and Romanoff were reduced to ashes and dust. [Applause.] Monarchy was destroyed; democracy triumphed. In monarchies' places stood the new Republics of Poland, Czechoslovakia, Austria, Germany, and Russia. These Republics were warmly welcomed into the society of nations by President Wilson and their sovereignty approved by the Congress of the United States, while the citizens of our Republic granted

them material aid and comfort in their great hour of need. [Applause.]

Let us pause at this juncture to examine briefly the growth and development of the most noteworthy product of the industrial revolution, namely, the economic system of capitalism. Capitalism is purely an individualistic view of the economic categories of production, distribution, exchange, and consumption of wealth, just as political democracy guarantees the complete separation of the legislative, executive, and judicial functions of the state.

The philosophy of capitalism insures free economic competition among all human beings and equal economic opportunities regardless of heredity, race, or religion. Theoretically it is the finest economic system ever devised by the mind of man. It judges all human beings wholly impersonally and, aided by political democracy, safeguards for all men and women the fruits of their economic toil. The keystone of the arch of the capitalistic system is composed of the trilogy of private property, individual labor, and human liberty in all its aspects.

Of all the nations of western Europe, Russia was the only one prior to the World War which had been almost wholly untouched by the industrial revolution and had not been subjected to the economic benefits of capitalism. Under the Czars, the great Russian Empire was politically a despotic monarchy and economically a feudal relic of the Middle Ages. The Bolsheviks, or communists, therefore, found fertile soil for their economic and political doctrines when they overthrew the Kerensky government in November of 1917 and established the Union of Socialist Soviet Republics under the leadership of Nikolai Lenin and Leon Trotsky. With one fell swoop they overthrew the philosophy of democracy and capitalism and substituted policies which had frequently been contemplated in theory by the great intellects of the world, but which had never before been subjected to practical experimentation in a large country.

What is this great Russian experiment? Just as capitalism and democracy rest on a trilogy of private property, individual labor, and human liberty, so communism and sovietism, their direct antithesis, also rest on a trilogy—first, all land, property, and capital belong to the state.

Second, all labor is employed and directed by the state at rates of compensation rigidly fixed by the state.

Third, human liberty in all its aspects, such as freedom of the press, freedom of lawful assemblage, freedom of speech, and freedom of religion, are expressly and unreservedly denied to all individuals and are the exclusive privileges of the state. Thus, for the first time since the feudal system swayed the world, a spartan state has arisen which fearlessly and cynically challenges the rule of democracy and capitalism.

Ladies and gentlemen of the House, this despotic, autocratic oligarchy, under the name of communism, constitutes to my way of thinking the first serious challenge to the dominant ideals of democracy which have heretofore been triumphant in the western world.

Communism is fundamentally a new religion. It is a great state and secular denomination. It substitutes the attributes, the virtues, and qualities of God to the state itself. The state instead of God is supreme. Through the system of starvation of any minister, priest, or rabbi, who does not conform to their religious policies, they exile them to Siberia and ruthlessly suppress and destroy every other form of worship of God. Communism believes in the here instead of the hereafter. It relegates the belief in a divine Providence to the realm of fiction and superstition.

This new religion has Karl Marx as god of the state. Its Jesus of Nazareth is Lenin. Its St. Peter is Stalin. Its St. Paul is Trotsky. Its ideals in philosophy, economics, and government is its new creed. In the union of the church and state as one it has perfected a new bible. In this bible it excoriates democracy. It pillories capitalism. It weeps over an industrial system that exploits labor. In clarion tones it cries aloud for world revolution.

Overproduction one year and underproduction the next year dislocate the markets of the world and bring in their wake chaos, wastefulness, panics, unemployment, war, and finally revolt. Communism challenges the institutions known as the family, religion, property, marriage—yes, even patriotism. It seeks their destruction. The communistic bible of the state is a bitter indictment against the present social order.

It is a philosophy of life. It is a program of action. It is a promise of a future goal. It preaches a new declaration of authority. The dictatorship of the proletariat—a dictatorship that will forever abolish poverty, misery, hunger, and want. It will inaugurate the golden age of a happy humanity that will bring into realization true Christianity founded upon the ideal Utopia, from each according to his capacity, to each according to his need, thus bringing about through communism the su-

premacy of the state and the brotherhood of man. This is the creed. This is the Bible. This is the philosophy. This is the religion of communism.

But, lofty as are these ideals and splendid as are these dreams of an Utopia, there arise occasions in the life of an individual, as well as in that of a nation, when the end does not justify the means.

In Russia it is the bullet; in the United States it is the ballot. [Applause.] But granting that these Utopian ideals could be realized by the ballot, I am still opposed to the principles of communism. Why? Because deep within each individual is ingrained the cry of the soul for liberty, of the heart for freedom, and of the mind for self-expression. [Applause.] Rather than be a bird in a gilded cage surrounded by all the material comforts that make for happiness, I, for one, would prefer the liberty of thought, conscience, and action. [Applause.]

Communism deprives an individual of the incentive to live. It robs him of individual hope, faith, and ambition. It makes him a mechanical automaton or robot in the realm of life. The herd selfishness is substituted for the individual happiness.

Communism says to you and me, "Sell me that birthright which you have attained after so many centuries of struggle. Give up your liberty. Give up your freedom. Give up your democracy. Give up your aspirations to immortality; your inspirations of divinity. Give up all these cherished traditions. In return we will afford you a modicum of comfort and material possessions."

But, Mr. Speaker, ladies, and gentlemen, my answer to them is in the immortal words of that great Virginian, the Old Dominion's illustrious patriot, Patrick Henry, whose clarion voice electrified the House of Burgesses when he said, "Give me liberty or give me death." [Applause.]

Communism scoffs at our democratic parliamentary form of government. It ignores the individual entirely. It is frankly skeptical of either his willingness or ability to govern himself. The state is all important in politics as it is in religion.

Economically, to complete the final plans of the communistic trilogy, the soviet state is perhaps on its strongest ground. It is therefore the most dangerous as far as our form of civilization and democracy is concerned. In Russia the state controls all commerce whether industrial or agricultural in character. Private enterprise is denied any right to exist. Mindful of the fact that under the Czars the industrial revolution had not reached Russia, the soviet leaders are attempting an ambitious scheme. To me it is the most enterprising plan in the entire history of economic life.

It will attempt to mechanize and socialize Russia both in urban and rural life in a period of five years. It will organize industry and agriculture so powerfully as an armed unit in five years as to challenge any nation in times of peace or in times of war. The torch of communism must undermine all nations of the world. It must spread the gospel of discord, dissension, strife, and strike to all the workers of the world. It must plan and plot rebellion and revolution everywhere. Communism exploits its workmen under the pretext of nationalism to capitalize their blood to finance world revolution. A new war is in the offing. Within the next decade this menace will manifest itself. In the United States it is already knocking at the door of all industry. The next great conflagration will be the world revolution. Communism will challenge the right of democracy to live and to survive. All previous wars will pale into utter insignificance when history records the roll of horror which the communist fury will loosen upon an unfortunate and innocent world. But mark my prediction: In the bitter end communism will be destroyed, while democracy triumphs. [Applause.]

It took capitalistic and democratic systems 150 years to bring the industrial revolution to fruition—through individual effort. Communism expects to accomplish the same purpose in five years through state effort, through conscripting capital and mass labor to accomplish the result and conquer the world to its ideal.

Thus we behold Soviet Russia, challenging the western world on all three battle fronts—religious, political, and economic. How shall we of the West meet this octopus of the East?

Externally we must guard ourselves against the infiltration of soviet propaganda. Their paid propagandists must be deported. [Applause.] However, as long as Soviet Russia is content to conduct its experiment within its own borders and does not attempt to proselytize the rest of the world, its sovereignty should be respected by other nations, including our own.

Internally, we must apply a medical curative. We should immunize ourselves, so that even if the contagious germs of communistic bacteria do infect our body politic we shall be able to resist them and throw them off. [Applause.] I do not be-

Heve that the imprisonment of those who advocate communist doctrine in this country would be beneficial. You may imprison an individual but you can not effectively imprison an idea. You can not chain a political concept. You can not shackle or enslave an economic philosophy.

We must set our own house in order, and treat the causes rather than the symptoms or effects of economic ills. To meet the dangers of communistic propaganda we must improve the temple of democracy in the United States. Four great constructive economic changes must be wrought in our country.

Firstly, the abolition of child labor. Children under 16 years of age should never be compelled through the force of economic circumstances to work in the mill, the mine, the loom, or the factory. Their frail bodies belong to the schoolhouse [applause], there to receive the education and the culture that will develop a sound mind in a healthy body. [Applause.] Capital has no right to offer their humble bodies in the quarries of industry, to compete with labor that justly and rightfully belongs to the older men. [Applause.]

Secondly, the scientific treatment of the unemployment condition. In a land of plenty and prosperity 5,000,000 people without employment is a tragedy. It is a sad commentary upon the civilization of our day that men and women with families and children dependent upon them, willing to work, should be unable to find employment. Unemployment brings about a subnormal standard of living, untold anxiety, bitter discouragement, and disappointment, and unless corrected leads to poverty, penury, and pauperism.

Labor is the producer of capital. It should, therefore, be entitled to a fair share of the distribution of the wealth it creates. With progress that democracy constantly advocates perhaps the day is not far distant when social insurance will provide the necessary means to provide for the worker when unemployment knocks upon his door. Prosperity by presidential proclamation is a myth. Prosperity through the scientific solution of unemployment can be made realization. [Applause.]

Thirdly, the establishment of nation-wide old-age pensions. Modern society pensions in the name of patriotism the soldier who bares his breast to shot and shell to defend his nation's honor upon the field of battle in times of war. Why not pension, in the name of humanity, the old fathers and mothers who in old age find themselves bereft of support and have to join the last great pilgrimage whose caravan is sadly marching over the hill to the poorhouse and almshouse? If patriotism inspires us to pension the soldier, how much more patriotic is it to pension the old fathers and mothers who have given up their lives upon the industrial field of peace and honor to make our Republic the greatest in all the world. [Applause.]

Fourthly, and most important, we must counteract the effects of mergers, concentrations, and combinations of big business which are threatening to exterminate the middle class, the backbone of our individualistic, capitalistic, and democratic system with frightful celerity. The great Governor of New York, Franklin D. Roosevelt, last Fourth of July in an address declared the mergers of big business are creating a system of economic feudalism in which all property will be in a few hands and the rest of us will be economic serfs. [Applause.]

Such a view is borne out by the trend of recent events. The mergers of big business have been so great as to veritably beggar description. They create uneasiness and discontent. They are false to the fundamental philosophy of economic capitalism. [Applause.] They tend inevitably to concentrate the separate functions of the production, distribution, exchange, and consumption of wealth in a few hands and usurp all those powers by completely destroying all competition and reducing the middle class to penury and want. [Applause.] Paradoxical as it may seem, the best friends of the communists in this country are the promoters of these giant mergers.

They are preparing fertile soil for soviet propaganda. They are weakening our national resistance in the inevitable conflict that will have to come between communism and sovietism on one side and political democracy, capitalism, and individual liberty on the other.

Mr. Speaker, ladies and gentlemen, before we make the world safe for democracy let us make the United States safe for democracy. Lest we forget, let us always remember that monarchies have been destroyed by poverty, republics through wealth, and that communism will be destroyed by democracy, because it denies to every human being the inalienable right to the pursuit of life, liberty, and happiness by denying to its people freedom of speech, freedom of assembly, freedom of the press, and above all, freedom to worship God in conformity with a man's own conscience. [Applause.]

Mr. Speaker, I shall be glad to yield to any of the Members who might like to ask questions.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. SIROVICH. I will be glad to yield to the gentleman.

Mr. WAINWRIGHT. I thought perhaps the gentleman from New York [Mr. SIROVICH] might refer to the fact that the Legislature of the State of New York has just passed an old-age pension act.

Mr. SIROVICH. I am proud to inform the distinguished gentleman from New York [Mr. WAINWRIGHT] that a speech that I made two years ago on the floor of the House was quite helpful in passing that old-age pension law, that has since been adopted by 9 or 10 States of the Union and by 4 more throughout our Republic in the next year. [Applause.]

I would like to see the Rules Committee and the Labor Committee report out the bill that I have introduced providing for old-age pensions, which will help this great Republic do what all of the other nations of the world have done.

For the benefit of you ladies and gentlemen, let me tell you that every civilized nation of the world has already adopted the principle of old-age pensions with the exception of China, India, and the United States, and I am waging this battle to see the United States leave the company of China and India before they surpass us in that field. [Applause.]

Mr. LOZIER. Will the gentleman yield?

Mr. SIROVICH. I yield to the gentleman from Missouri.

Mr. LOZIER. Much has been said in the last year or two about the English dole system. I understand that practically 60 or 70 per cent of all the money paid out in England in the form of doles represents funds or relief which has been purchased by a system of workmen's insurance and does not represent a bounty or gift from the government.

Has the gentleman taken into consideration or given any considerable thought to the question as to how far a system of workmen's insurance would assist in alleviating the conditions to which the gentleman has referred with reference to unemployment?

Mr. SIROVICH. I would be pleased to answer the question of the distinguished gentleman from Missouri [Mr. LOZIER]. Twenty-eight governments of the world, Mr. Speaker and ladies and gentlemen, have adopted the principle of contributory compulsory old-age pensions. That means individual contributions of from 3 to 5 per cent of the salary every week by the employee, the employer contributing an equal amount, and the state a third amount. This compulsory contributory form of old-age pension was put into operation first by Bismarck in 1889 in order to show the great social democracies of Germany that Germany was willing to help its working people through the instrumentality of the state. In 1909 that great Englishman, Lord Asquith, introduced the principle in England, and it was introduced in 1917-18 in France. So that Germany to-day takes care of 20,000,000 of its working people, England, 16,000,000, and France 7,500,000, who, under the influence of old-age pensions, workmen's compensation, employers' liability, social insurance, sickness insurance, and unemployment insurance, receive the benefit that the gentleman from Missouri has spoken of. There are 10 governments of the world who have what we call the noncontributory form of old-age pensions, which is a straight pension system. When a man arrives at the age of 65, irrespective of contribution to funds, he is pensioned. Such forms of pension are found in Austria, Canada, New Zealand, and Denmark. Two countries that have the voluntary-saving plan are Japan and Spain, in which the workman has permission to take off a certain amount of his money every week, and the government applies the same amount, and when the man arrives at the age of 65 that is given to him yearly as a pension, and he is looked after during sickness.

So all the governments of the world have provided for some form of old-age dependency, with the exception of China, India, and the United States.

Mr. JONES of Texas. Will the gentleman yield?

Mr. SIROVICH. I yield.

Mr. JONES of Texas. I am very much interested in the gentleman's discussion and appreciate his investigation in the different nations that have tried the contributory method of pensions to which the gentleman has referred. Has any plan been devised to take care of the agricultural sections, for instance, which do not have a pay roll or provision for such contribution? I am asking that historically. I would like to know how that is taken care of.

Mr. SIROVICH. Every workman—and that includes agriculturists—is included in the pension system.

Mr. JONES of Texas. But the farmers do not have a regular form of income. I am not asking this for the purpose of embarrassing the gentleman, but I am wondering if there is provision made to take care of that class of workers.

Mr. SIROVICH. Every individual who works at physical labor or mental labor, irrespective of where he works, is provided for in this old-age pension.

Mr. JONES of Texas. But I was speaking of the historic connection, where the gentleman from New York said there were certain countries in which old-age pensions were permitted, where the worker contributed part and the state contributed part.

Mr. SIROVICH. They contribute it through the medium of taxation. That is how the agricultural class takes care of it.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. SIROVICH. I yield gladly.

Mr. MOORE of Virginia. I would not inject myself into the speech of the gentleman except for his fine allusion to the history of Virginia. I would like to ask the gentleman whether he believes that the effort to eliminate religion from the life of the people of Russia will be successful, considering the failure of any such effort that has ever been made in any other country?

Mr. SIROVICH. My concept is that there never has been a war in any nation of the world in which that nation tried to destroy religion but that in the end the nation was ultimately destroyed itself.

In the French Revolution, during the triumvirate of Robespierre, Marat, and Mirabeau, they did exactly as Russia is doing at the present time. They placed upon the pedestal of the Lord Almighty the goddess of reason. So in time the goddess of reason crumbled. I am sure the distinguished and lovable Chaplain of the House, Rev. James Shera Montgomery, who sits before me, will agree with me that when reason ends, there is where faith begins, and that is why religion can never be destroyed. [Applause.]

Mr. MOORE of Virginia. The gentleman, of course, remembers that not only did the French revolutionists make the goddess of reason the only deity they would worship, but that they abolished Sunday and any day of rest and closed the churches. Nevertheless, after a while the antireligious adventure upon which they had entered proved to be an absolute failure.

Mr. SIROVICH. Let me answer the distinguished gentleman from Virginia. That in order to destroy religion in Russia, the Soviet Government has perfected the continuous working week. This adoption of a continuous working week means the elimination of Sunday as a general holiday, thereby taking away from the remnant of the church in the Soviet Union one of its last and strongest footholds.

By doing away with Sunday as a general religious holy day, the churches find themselves deprived of those who would want to worship God in conformity with their traditions.

A minister is not given the permission to vote in the soviet government. He is not permitted to raise any funds. The soviets do not permit parents to give religious education to their children until they arrive at the age of 18. So in conformity with the philosophy of Richelieu, who was the Prime Minister of Louis XIII, the soviets say in Russia, "Give me the children up to the years of 18, when we can fertilize their minds with our dogmas and teachings, and saturate their hearts and souls with our philosophy and our atheism, and we do not care who makes the laws." They are starving the ministers, priests, and rabbis. If a minister should arise in a pulpit and give vent to a sentiment which was in conformity with the teachings of Christ, he would be sent to Siberia or be silently executed.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. O'CONNOR of New York. I thought when the gentleman started to talk, he was going to devote more time to the religious situation in Russia. I was interested to hear whether or not he thought the philosophy of communism was any form of religion. Most people call it atheism. I was interested also in following that up to see if the gentleman had any reason for the alleged growth of atheism in this country. Many people say that a big majority of those who come out of our colleges to-day are atheists or agnostics. Would the gentleman attribute that to the wave of communism that is transporting itself from Russia to America?

Mr. SIROVICH. Mr. Speaker, ladies and gentlemen, when our Government was founded we had as many atheists then as we have to-day. I think the greatest atheist of his time was Thomas Paine, one of the men who helped to frame the Declaration of Independence. It was men of his stamp who kept the word "God" out of the Constitution of the United States, and the reason, I understand, that God was kept out at that time was the thought that if King George III ruled by the divine right of God and persecuted our colonial forbears they did not care to have that God in the Constitution of the United States. However, in this great democracy the most beautiful thing I love about it is that when a man, be he Catholic, Protestant, or Jew, goes into his temple the Government of the United States puts all the power of the Government behind him in order to pro-

tect him in his right to worship God in conformity with the dictates of his conscience. [Applause.] And what is even more beautiful, we protect the atheist and agnostic in this country just as well. That is the beauty of democracy. On the contrary, in Russia the state is God; the state is supreme; if you do anything against the state it is not only blasphemy but it is treason.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. DICKSTEIN. Is it not a fact that they want to make Russia, under the soviet government, a godless country?

Mr. SIROVICH. The question which the gentleman from New York asks me is whether they want to make it a godless country. They have to-day almost 3,000,000 men and women who under the philosophy of atheism are preaching their gospel of economic, philosophic, and religious views in the schools and all over the world for the purpose of trying to break down that ingrained tradition which the centuries of religious inculcation has brought into the heart and soul of the Russian. The communists laugh at the innocent peasant; they mock him; they jeer him, feeling that ridicule will destroy his faith in God. Through a process of starvation and denial of the right to vote on the part of a minister as a citizen of the soviet government they are trying to break down his morale in the faith and very existence of God. The communists have no hesitancy in saying through those who preach their gospel that if God wants to preserve the various religious denominations that are in existence in Russia let Him do so, but the communists will not grant Him any assistance. Let the ministers and priests stand upon their own faith, without any outside help from the communists.

So if the civilized nations of the world permit the Government of Russia to interfere with minority rights, which is the inherent privilege of men upon this earth, then in time religion in Russia will be destroyed. But I have faith in God; I have faith in reason. I think the time will come in the next 5 or 10 years when Russia, which is going through a process of revolution, industrially, agriculturally, and economically, will send its surplus products into the markets of the world, there undersell its competitors, which will lead into another economic world war. To-day Russia, through paid propagandists is breeding sedition, discord, strike, and rebellion in all the civilized countries of the world. This, too, will hasten the world revolution and bring on a world war in which Russia will fall and collapse. You can not substitute the tyranny of communism for the autocracy of czarism. The pendulum in Russia has swung from one extreme of czarism to another extreme of Bolshevism.

Mr. Speaker, ladies, and gentlemen, czarism is democracy from above pushing downward, while communism is democracy from below pushing upward, and the result will be that the people in between them will be crushed. [Applause.]

Mr. O'CONNOR of New York. Will the gentleman yield again?

Mr. SIROVICH. I yield.

Mr. O'CONNOR of New York. Does the gentleman spell out of this philosophy of communism any form of religion at all?

Mr. SIROVICH. I stated that during the development of my speech. Communism is a state religion. The state is substituted for God. The state is supreme. No other religion can take its place.

Mr. O'CONNOR of New York. The reason I ask the question is this. Of course, I feel as deeply and as keenly about what is going on in Russia as anybody, but, historically, other nations have forbidden certain religions.

There stands out in everybody's mind what Turkey always did with respect to the Christian religion, and only the other day I noticed that China refused to permit the exhibition of the moving picture Ben Hur on the ground it portrays Christianity, which, to their mind, is a "superstition." If Russia is abolishing all religions and if there is nothing like religion there, she stands in a peculiar position in the world. If she is only seeking to abolish Christianity, some other nations have done that heretofore and are doing it to-day.

Mr. SIROVICH. Mr. Speaker, my answer to my distinguished colleague from New York is this: You know that you can get to Washington from any direction. You can come from the North, from the South or from the West, and you can even come from the East to Washington. So when our forefathers founded our Republic they figuratively or metaphorically said that God was Washington. Many religions have different roads that ultimately lead to God, as different roads lead to Washington.

One road that goes into God's bosom is called the Protestant road, a second road is the Catholic road, a third is the Jewish road, a fourth is the Confucian road, and a fifth is the Mohammedan road. I do not care what road a man takes so long as

the road leads directly to God and respects His omnipotent powers. [Applause.] True liberty consists in respecting the rights and freedom of every man's worship, be he theist or atheist. [Applause.]

Mr. Speaker, I want to thank the House for the cordial attention they have given me and the gracious manner in which my remarks have been received by the membership of this historic forum. [Applause.]

SARATOGA BATTLE FIELD

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that I may extend my remarks on the bill (H. R. 9334) with respect to the Saratoga battle field, passed by the House on April 7.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I am heartily in favor of the bill (H. R. 9334) authorizing the Secretary of War to make a study, investigation, and survey of the battle field of Saratoga.

I had the pleasure of introducing a similar resolution (H. Con. Res. 18) early in the year, the resolution providing for a committee to be appointed by the Speaker of the House and the President of the Senate, to study the subject.

This bill, however, leaves the matter to the attention of the War Department and will likewise serve the purpose.

The report of the Committee on Military Affairs indicates very clearly how important the Battle of Saratoga was in the war of our American independence.

It was the turning point in our struggle, and from that time onward American arms were victorious and our victory over the British assured.

The leader of the British forces against America at Saratoga was General Burgoyne, whose name is quite familiar to a good many American readers, due to a recent very interesting biography written by Huddleston under the title of "Gentleman Johnny Burgoyne." He was opposed by our General Gates and General Arnold, and his entire army surrendered. This was the first time that a British force of the magnitude of Burgoyne's division surrendered to an inferior American army, and it was the first real victory of the War of Independence, if we overlook for a moment little skirmishes here and there which might have been victorious for our Army.

The resolution introduced by me was suggested by the governor of our State, Franklin D. Roosevelt, and it was he who urged Senator WAGNER and myself to do all in our power to bring about the establishment of the Saratoga battle field as a national museum.

The governor had no definite plan as to just what and how this was to be accomplished, nor has my resolution suggested any definite program for the solution of the question. As a matter of fact, the bill reported by the Committee on Military Affairs, which is before the House now, also deals exclusively with a survey to be made on the situation and does not specifically arrange any particular method in the solution of this question.

The State of New York has an investment of practically a quarter of a million dollars in the Saratoga battle field.

The acquisition and rehabilitation of this field was begun in 1926. From 1777 until 1926 the field in which was fought the Battle of Saratoga, one of the 15 decisive battles of the world and the one that was the most far-reaching in its results of any fought during the Revolutionary War, was practically neglected.

Beginning with the acquisition of four farms in 1926, the State has now acquired 1,400 acres, containing most of the important points of historic interest in the field, and has made the beginning of an intelligent restoration of the field as it was at the time of the battle. A few military structures have been built on the field as they were at the time of the battle. Fort Neilson has been replaced by a 2-story blockhouse, constructed of rough-hewn white-oak timbers, contained in buildings that have been on the field since the time of the battle, loop-holed in both stories for rifle fire, and with embrasures on the ground floor for cannon. The old powder magazine used by the American forces has been rebuilt from the original stones and in the form it was at the time of the battle. The building occupied by Generals Poor and Learned as their headquarters during the battle, which was afterwards used as part of one of the Neilson farm buildings, has been removed to the spot that it occupied during the battle and restored to its original condition, and another building similar to that used by General Arnold as his headquarters has also been erected, together with a flagpole, markers of the principal points of interest on the field, and a pavilion marking the cemetery in which were buried 1,500

American soldiers. The old house on the Freeman farm, which was inside the British lines, also has been restored, and a monument erected on the site of the Brayman redoubt, where General Arnold was wounded while leading a charge that broke the British lines.

Beyond that, and the erection of a few simple monuments and the laying out of roads leading to the more important parts of the field, nothing has been done, and care has been taken in the restoration thus far undertaken not to interfere with any future work in the way of restoring and marking the field as it was at the time of the battle.

In the defeat of General Burgoyne's forces at Saratoga the Colonial troops made possible the ultimate freedom of the American Colonies, insured the independence of the United States, and created a world power.

The field is not properly the possession of any one State, it should belong to the whole American people, and should be developed as a national possession. Such was the original plan in 1925 when the movement which culminated in the acquisition and rehabilitation of the field began. Owing to the fact that it was impossible at that time to obtain an appropriation from the National Government the purchase and rehabilitation was undertaken by the State and subsequent purchases have placed in public ownership the greater part of the field.

The future development of the field should be a national undertaking. This year over a quarter of a million visitors from all parts of the United States—in fact, from all parts of the world—visited the field, as shown by the register kept in the Fort Neilson blockhouse. The field is visited and studied by army officers of all nations, by students of history, by patriotic societies, and by organizations of all kinds. It is a point of preeminent interest in American history and should be a national patriotic shrine.

It is, therefore, clear that not only the State of New York has a great interest in the development of the battle field but that the Nation should do all in its power to preserve this historical monument for our children and children's children.

Lieut. Col. H. L. Landers, of the historical section, Army War College, who is engaged in the study of the battle field of Saratoga, makes the following statement:

The United States declared its independence on the 4th day of July, 1776. Shortly thereafter the new Nation sent three commissioners to France, Benjamin Franklin, Silas Deane, and Arthur Lee, to negotiate with that country for supplies and to effect an alliance. The French Government professed a real friendship for the commissioners and wished success to their cause, but until the revolutionists were successful on the field of battle France would not break with England.

On the 17th of October, 1777, the army of Lieut. Gen. John Burgoyne surrendered to Maj. Gen. Horatio Gates at Saratoga. A copy of the articles of convention was sent to the commissioners by the American Committee of Foreign Affairs on the 31st of October, 1777. The letter transmitting the articles said in part:

"We rely on your wisdom and care to make the best and most immediate use of this intelligence to depress our enemies and produce essential aid to our cause in Europe * * *. We are sensible how essential European aid must be to the final establishment and security of American freedom and independence."

The news of Burgoyne's surrender reached France by a packet from Boston. It "apparently occasioned as much general joy in France," wrote the commissioners, "as if it had been a victory of their own troops over their own enemies, such is the universal, warm, and sincere good will and attachment to us and our cause in this Nation."

The commissioners took this opportunity to urge the ministry to act on the proposed treaty, which had been under consideration so long. A meeting was accordingly arranged for the 12th of December, at which a final accord was reached. As the concurrence of Spain was necessary, a courier was dispatched to that country the following day to obtain its agreement.

On the 6th of February, 1778, two treaties were signed with France. One was a treaty of amity and commerce, the other a treaty of alliance, in which it was stipulated that in case England declared war against France, or occasioned a war by attempts to hinder her commerce with the United States, the two countries would then make common cause of it and join their forces and councils. The great aim of the treaty was declared to be to "establish the liberty, sovereignty, and independence, absolute and unlimited, of the United States, as well in matters of government as commerce."

From 1778 to 1781 France furnished money, supplies, ships, and men to the United States. With the aid of her fleet, control of the sea was gained by the allied nations in the fall of 1781 and the army of Cornwallis was forced to surrender at Yorktown.

In all likelihood the war for independence would not have terminated with success to the new Nation had it not been for the assistance given by France. This assistance was given only as a result of the surrender of the British Army at Saratoga.

We hope and expect that this survey to be made by the War Department will enable the authorities to make a comprehensive plan for the proper development of Saratoga as a national shrine.

PROHIBITION ENFORCEMENT

The **SPEAKER** pro tempore. Under the special order of the House the gentleman from Massachusetts [Mr. STOBBS] is recognized for 30 minutes. [Applause.]

Mr. STOBBS. Mr. Speaker, ladies and gentlemen of the House, in view of the widespread publicity, through the press and otherwise, which has been given to a letter from the Department of Justice addressed to the chairman of the House Committee on the Judiciary in reference to certain bills pending before said committee, it would seem only fair to refute publicly some of the objections and criticisms urged in said letter against said proposed legislation.

At the outset I wish to state I have only the greatest admiration and the most profound respect for the legal ability and the personality of the head of the Department of Justice, and although it is an open secret that the letter in question was written by some one else in the department, it is to be assumed that because the letter was signed by the Attorney General personally it represents the policy and the viewpoint of the Department of Justice, and it is to that policy and that viewpoint that I wish to take emphatic exception.

H. R. 9985, one of the bills in question, happens to have been introduced by me, and it is to that particular bill that I wish to direct your attention. Briefly, it provides for an amendment to the so-called Jones-Stalker Act by striking out the proviso which was attached to the original bill when it was considered in the Senate, which provided that the court when imposing sentence under the act should discriminate between casual or slight violations and habitual sales of intoxicating liquor, or attempts to commercialize violation of the law, and inserting in lieu thereof certain definitions of so-called minor infractions of the prohibition law and providing for a penalty for these of a fine not to exceed \$500 or confinement in jail without hard labor not to exceed six months, or both.

The phraseology of these definitions which, as will be seen, is so objectionable to the Department of Justice was copied exactly word for word from the recommendation of legislation proposed by the Law Enforcement Commission as set forth and contained in the message from the President of the United States submitted to Congress as of January 13, 1930, accompanied by a letter from the Attorney General indorsing, in effect, the legislation proposed. The only difference between the measure embodying these definitions in the commission report and H. R. 9985 is that in the one the casual and slight violations referred to in the Jones Act are defined for purposes of prosecution, while in H. R. 9985 they are set forth as an amendment to the substantive law.

That some definition of these casual or slight violations referred to in the Jones Act is advisable is made clear by the members of the commission in their report to the President—see pages 17 to 21—and that a clear-cut amendment to the Jones-Stalker Act defining these minor offenses is more advisable than for purposes of prosecution only was made even more clear by the statement of the Hon. George W. Wickersham, chairman of the Law Enforcement Commission, at the hearing before the Senate Committee on the Judiciary held March 17, 1930, when he stated most emphatically—see page 29 of the hearings:

I think that some legislation should be enacted with respect to the modification of the Jones Act, which covers the offenses indiscriminately under the classification of felonies—with the exception of possession or maintaining a nuisance. That is contrary to what I think is sound legislative policy. I do not think you ever can enforce law more effectively by putting extreme penalties on minor violations of the law.

We have the anomalous situation, therefore, of legislation which is publicly approved and indorsed by the chairman of the Commission on Law Enforcement, a former Attorney General of the United States, appointed by the President of the United States to make an exhaustive study of law enforcement, being criticized and disapproved by the Department of Justice. We have the curious inconsistency in policy of the Department of Justice in approving and indorsing the definition of slight or casual violations under the Jones Act for purposes of prosecution—where it is left optional with the district attorney, in case the defendant does not want to accept sentence imposed if prosecuted for one of these minor violations, to indict for a more serious offense, with the possibility of a more severe sentence or penalty if found guilty—but objecting to the same as a part of the substantive law.

In other words, these minor offenses as defined for purposes of prosecution are approved by the Department of Justice when they may be utilized as a club over the head of the defendant to compel him to accept and take a sentence imposed under them, but are disapproved when they are inserted as a part of the substantive law to be availed of by the defendant as a matter of right if he has committed only a minor infraction of the prohibition law. Aside from the injustice to the defendant, such a policy is fundamentally wrong, in that it creates an artificial distinction, for trial purposes, of offenses involving the same set of facts at the discretion of the prosecuting officer.

What are some of the objections to H. R. 9985 set forth in the letter from the Department of Justice to the chairman of the House Judiciary Committee?

First of all is its inexactness of definition. It has already been indicated that the phraseology of definition is the same as that used in the commission's report and approved by the Department of Justice, if to be used in connection with purposes of prosecution. But more specifically, the word "habitual" in connection with violations is criticized as being too indefinite and as likely to result in vexatious litigation. "Habitual" is a word very commonly used in criminal legal phraseology—habitual gambler, habitual drunkard, common and habitual street-walker, or habitual and common scold. All these have been used in defining crimes from time immemorial and have received well-recognized judicial interpretation. Furthermore, the word "habitual" is used in the very phraseology of the proviso in the Jones Act itself. If acceptable in that connection as not being indefinite, surely it ought not to be objected to on the score of being indefinite when used in the same act in a different connection.

The further objection that "an habitual offender" is one who has been previously convicted in court does not necessarily follow in the light of the well-defined and common usage of the word in legal parlance.

The word "casual" employee, similarly criticized, is used in the workmen's compensation acts throughout the country, and the word "casual" is likewise used in the proviso of the Jones Act itself.

The term "small quantities," also objected to, has been used in various statutes throughout the country. So much for the definitions.

The second objection urged is that the legislation is unnecessary, in that—quoting from the letter:

It has been the experience of the department that both United States attorneys and judges have, in general, carefully observed the admonition of Congress to deal fairly, according to the character of the offense. The departures from that policy consist rather in leniency than in severity.

What does the evidence show in respect of this statement?

In one district, that of northern Michigan, the testimony of Prohibition Administrator Thomas D. Stone, given before the Commission on Law Enforcement, showed that for a period of five months prior to December 31, 1929, 85 per cent of the offenders convicted under the Jones Act were given sentences to serve in the penitentiary, these sentences varying from one to five years, all being first offenders. From the survey made under the direction of the Prohibition Department it was shown that in the northern district of Georgia, for a period of nine months prior to December 31, 1929, the prison sentences given under the Jones Act exceeded the total prison sentences given for liquor violations during the 5-year period previous. In the middle district of Georgia for the period between November 4 and November 27, 1929, 21 defendants were sent to the penitentiary. In the northern district of Oklahoma a 5-year sentence was given to a first offender. In the western district of Arkansas the survey shows that severe sentences were being imposed, and the United States attorney is quoted as saying that there are no such offenses as petty violation of the United States law.

The climax comes in a case in the northern district of West Virginia, where a man convicted of the sale of two drinks for 50 cents each, was sentenced to two years hard labor in the penitentiary. On a review of this case by the circuit court of appeals, Judge Waddill stated in a dissenting opinion that a \$1,000 fine and six months in jail was ample sentence for this class of offense.

Does the disposition of these cases under the Jones Act bear out the statement in the letter from the Department of Justice that our Federal judges are consistently construing the admonition of Congress, as contained in the proviso in the Jones Act, and are inclining toward leniency rather than severity?

Furthermore, the wide discretion given under the Jones Act to judges tends to great inequality in administration and in the imposition of sentences, sometimes within the borders of the

same State, with consequent resulting feeling of great injustice on the part of those affected. In Bay City, Mich., in the northern district, as previously shown by the testimony of Prohibition Administrator Thomas D. Stone before the Commission on Law Enforcement, for a period of five months prior to December 31, 1929, 85 per cent of the defendants convicted under the Jones Act were sentenced to the penitentiary with sentences of from one to five years, while in the southern district of the same State, all pleas of guilty of offenses under the national prohibition law resulted in fines and no sentences of imprisonment were given for a first offense.

From the survey of the Prohibition Department it appears that in the northern district of Georgia for a period of nine months prior to December 31, 1929, the prison sentences given for violation of the national prohibition law exceeded in amount the total given for liquor-law violations for a previous period of five years. In the same State in the middle district defendants convicted under the Jones Act are sent to the penitentiary for first offenses in some cases, while the court in the southern district, in the same State, is known for being lenient in the imposition of sentences.

In Oklahoma, in the northern district, the survey shows that severe sentences are imposed for first offenses, while in the southern district the court is easy on first offenders. In the western district of Arkansas severe sentences are imposed on first offenders under the Jones Act, while in the eastern district probation is given to second and third offenders of the national prohibition law. In West Virginia the district court in the northern district is known for the imposition of severe sentences under the Jones Act, while the court in the western district construes the law not to require jail sentences for first offenders and imposes fines and suspended sentences. In the western district of North Carolina sentences of from four months to two years are given to first offenders, while in the Federal court in Pittsburgh, Pa., of 17 cases brought in under the Jones Act only 1 was sent to the penitentiary, 3 were placed on probation, 7 sent to jail with short sentences, and the rest fined.

If time and space permitted, I could give numerous other instances illustrating the great difference of opinion among judges in their construction of the basic provisions of the Jones Act and in the inequality of justice which prevails in its administration among judges of the same court and in the same State, all of which is detrimental to the regard in which our courts ought to be held.

Quoting further from said letter:

It would seem that in prosecution of offenses punishable under the Jones law the indictment must allege and the evidence prove the absence of the qualifications that would bring the offense within the operation of H. R. 9985. Thus in prosecution by indictment for sale the Government must prove that the seller is engaged in habitual violation of the law; in prosecution for manufacture or transportation, regardless of quantity; that the accused is not a casual employee—

And so forth. In other words, because in H. R. 9985 it is provided that for one not a habitual violator a smaller sentence under the Jones Act shall be imposed in the case of a sale and likewise in the case of a casual employee convicted of transportation the Department of Justice claims that when you come to the indictment and trial of the more serious offenses the indictment must allege and prove that the defendant was a habitual violator or not a casual employee, as the case may be; that is, the indictment and proof must contain negative averment of the minor offenses set up in this amendment to the Jones law.

This is rather a surprising statement in view of the fact that it is well known that in common law it is not necessary to negative qualifications or provisos or exceptions unless contained in the definition of the offense itself, and is all the more surprising in view of the fact that section 32 of the Volstead Act expressly provides that it is not necessary to include defensive negative averment, and, of course, said section would be applicable to any amendment to the national prohibition law, including the amendment under discussion. If this amendment were adopted, there would be no change in the averment in the indictment, and the proof required to convict of the more serious offenses under the Jones Act would be the same as at present required.

Quoting still further from said letter, it is stated as follows:

Furthermore it is doubtful whether, if in a prosecution by indictment of a major violation the Government proves unlawful sale, manufacture, or transportation, and is unable to prove the absence or presence, as the case may be, of the qualifications set out in H. R. 9985, the jury may convict for a violation under H. R. 9985.

In other words, in the opinion of the Department of Justice the objection is made that if John Jones is indicted for the sale of liquor and at the trial it is proven that he was not a habitual violator, and that the sale in question was a small quantity, then the defendant might escape the clutches of the law and be allowed to go free on the ground that the facts proven justified a conviction only for the minor offense under the act and not the more serious one as charged in the indictment.

It would seem under section 565 of title 18 of the United States Code—which provides that in all criminal causes the defendant may be found guilty of any offense the commission of which is necessarily included in that with which he is charged in the indictment—that this fear or apprehension of the Department of Justice is needless and that in any such situation the defendant could be found guilty at the same trial of the lesser offense even though the greater one is charged in the indictment.

Quoting again from the letter in question, it is stated as follows:

I am fearful that the result of the enactment of H. R. 9985 will be to reduce the penalties for substantial violations, such as manufacture, sale, and transportation, to a point below the penalties provided before the enactment of the Jones law.

The enactment of H. R. 9985 will not reduce the penalties for any substantial habitual violation of the national prohibition law. It will prevent the imposition of disproportionate, unnecessarily severe penalties upon nonhabitual violators of the law. It will make impossible the imposition of a 2-year sentence in the penitentiary upon a defendant convicted of selling only two drinks at 50 cents each. It will keep within bounds the power to impose sentence of those judges who apparently have not the necessary balance and judicial quality of mind to differentiate between the way and manner in which the casual offender and the habitual violator shall be treated.

I have had the opportunity of serving as a police court magistrate and as a prosecuting attorney, and have had some experience in defending criminal cases. It is my sincere and earnest conviction that excessive sentences for minor infractions of the criminal law are not only unjust and inhuman but have a tendency to bring the administration of criminal law into disrespect and disrepute.

The question of the advisability of this amendment to the Jones Act is not one to be construed from the viewpoint of one's views on the general question of prohibition. The issue is not that of wet or dry. The issue is simply one of legislative policy and the fair, equitable administration of criminal justice. In the time of Henry VIII there were over 200 offenses punishable by death. To-day of this number only the crimes of murder and treason survive. The pendulum has been swinging away from undue severity of sentence.

Are we to be carried away by the frenzy of the moment—the obsession of a few fanatical minds to block the swing of the pendulum and in this most enlightened era of all time align ourselves against the forces of progress and humanity? In the interest of better enforcement and better observance and respect of all laws such a step would be fatal. [Applause.]

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. STOBBS. I will be pleased to yield.

Mr. O'CONNOR of New York. Is it not a fact that during the debate in this House on the Jones law the weakness of this lack of definition was pointed out very clearly by the gentleman himself; that is, the danger of leaving it to the discretion of the judge or the prosecuting attorney, if that might be possible, as to what was a minor offense and what was a major offense?

Mr. STOBBS. That is absolutely correct; and experience has borne out the statement made at the time.

Mr. CLAGUE. Will the gentleman yield?

Mr. STOBBS. Yes.

Mr. CLAGUE. The gentleman stated that in the State of Georgia and some of the other States there were different penalties for similar offenses meted out in different jurisdictions; in other words, that there is much more leniency shown in some jurisdictions than in others. Has the gentleman made any study to determine whether or not these heavy penalties that some of the judges imposed have acted as a deterrent in the commission of offenses against the Volstead Act or has there been any difference where there have been light sentences as compared with jurisdictions where there have been heavier sentences imposed.

Mr. STOBBS. I think it is very well known in the history of penology that the imposition of heavy sentences, sentences out of all proportion to the nature of the offense, brings about

disrespect and disrepute in the administration of the criminal law.

In other words, a defendant, as the gentleman knows, if he has been a prosecuting attorney, never objects when he is handed out a sentence which is severe, if the offense was severe, but when a sentence is handed out to him for an offense which is not a serious one in the eyes of the general public and he goes to State's prison—as this boy was sentenced for selling two drinks of whisky for 50 cents a drink—he is herded there with a lot of professional crooks and thieves and is placed side by side with men who have committed the most serious offenses known to the criminal law and naturally there is a reaction. There is a feeling of rebellion and a feeling of revulsion on the part of the public.

Let me carry this one step farther. I could not take the time in my remarks to go into details, but in my own State we happen to have in Judges Morton, Lowell, and Brewster, very outstanding, broad, humane members of our Federal judiciary, and they have said:

We will take this Jones Act and we will construe it as we think it ought to be construed and only apply it to men guilty of serious violations of the liquor law.

In an adjoining State in New England, when the act was passed, a member of the judiciary said:

I shall construe the Jones Act to be a mandate from Congress to impose the most severe sentences I can under that law.

Now, if a defendant happens to be caught in one State, he is treated in one way and if he happens to be caught in another State he is treated in an entirely different way. Is there any deterrent in that?

Mr. WOODRUFF. Will the gentleman yield?

Mr. STOBBS. I yield to the gentleman from Michigan.

Mr. WOODRUFF. The gentleman has referred to conditions existing in Michigan and particularly in Bay City, my home city, and to the imposition of penalties by the Federal judge there.

Mr. STOBBS. Yes; I was not aware it was the gentleman's home city.

Mr. WOODRUFF. The gentleman refers to the Hon. Arthur J. Tuttle, the judge of the eastern district of Michigan.

Mr. STOBBS. I do not know the name of the presiding judge. I took my evidence from the testimony of the prohibition administrator himself.

Mr. WOODRUFF. I have no doubt but what the prohibition administrator knew exactly what he was talking about when he gave that testimony, but I am wondering if I understood the gentleman correctly to the effect that the judge in that court imposes penalties for first offenses of from one to five years.

Mr. STOBBS. In the penitentiary; yes.

Mr. WOODRUFF. I think that must be a mistake.

Mr. STOBBS. I only have the evidence of the prohibition administrator. The testimony he gave before the Law Enforcement Commission, which I read when I went down there to study some of the records, was to the effect that in 85 per cent of cases where a sentence was imposed, the defendants were sent to the penitentiary.

Mr. WOODRUFF. But does he state whether or not 85 per cent of the cases were of first, second, third, or fourth offenses?

Mr. STOBBS. First offenses, because under the Jones Act you are dealing with first offenses.

Mr. WOODRUFF. Of course, I would not challenge the statement of my friend, and I do not inferentially or otherwise challenge his statement, but I do say there must be some mistake. There must be a typographical error or something of that sort, because I can not believe the judge, whom I know very well and with whose work I am more or less familiar, would impose penalties of that severity for offenses such as the gentleman refers to. It has been my opinion that Judge Tuttle usually fines the offenders from \$500 to \$1,000 for first offenses, without jail sentence, unless the circumstances are such as to warrant more severe penalties.

Mr. STOBBS. I will be very pleased to check up on the evidence and make any correction that may be necessary, because I do not want to do any injustice to Judge Tuttle.

Mr. FRANK M. RAMEY. Will the gentleman yield?

Mr. STOBBS. I yield.

Mr. FRANK M. RAMEY. Has the gentleman any information in the cases of these punishments as to whether the violator was operating an open place of business?

Mr. STOBBS. Of course, I do not know the facts in each particular case, but presumably they were all offenses under the Jones Act.

Mr. FRANK M. RAMEY. Does not the gentleman think that some of these men may have had an open place for business?

Mr. STOBBS. I agree that there may have been cases where it called for a heavier penalty for the first offense, but I have

tried to differentiate between major and minor offenses in this proposed legislation which I introduced. I am willing to leave the penalties as they are for habitual offenders, but I do not want the presiding judge where a man is not an habitual offender to have the power to sentence him in excess of six months in jail or a fine of \$500; and I do not care what the judges do to habitual offenders, provided they are not unreasonably severe.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

GROVER M. MOSCOWITZ

Mr. GRAHAM. Mr. Speaker, I desire to present a privileged report from the Committee on the Judiciary in connection with the case of Judge Moscowitz. The committee is unanimously for the report. There is an expression of views by two members of the committee, but they join in the report. I ask for the adoption of the resolutions which are incorporated in the report.

The SPEAKER pro tempore (Mr. MAPES). Without objection, the Clerk will report the resolution.

The Clerk read as follows:

(H. Res. 204)

Resolved, That the House of Representatives hereby adopts the report of the Committee on the Judiciary relative to the charges filed against Hon. Grover M. Moscowitz, United States district judge for the eastern district of New York; and further

Resolved, That no further action be taken by the House with reference to the charges heretofore filed with the committee against Hon. Grover M. Moscowitz, United States district judge for the eastern district of New York.

The SPEAKER pro tempore. Is there objection?

Mr. RAMSEYER. Reserving the right to object, it seems to me that a report of this nature ought to lie over and be printed in the RECORD, so that Members can be advised as to what it contains. I hope the gentleman from Pennsylvania will not ask the House now to adopt the resolution without debate or being advised as to the nature of it, or what the findings of the committee are. I hope the gentleman will not insist upon having the report considered to-day. It ought to be printed and be available for Members before action is taken.

Mr. GRAHAM. I have no objection to the report being laid over until the Members read the evidence if they wish to, but I am quite sure that very few will read this voluminous testimony. Had there been a minority report, I should feel sure that there ought to be some time elapse and it should go to the calendar. But under the circumstances if my highly honored friend wants to read the evidence I have no objection. The subcommittee reported unanimously and the full committee reported unanimously; and I am perfectly willing, if request is made, that the resolution lie over.

Mr. RAMSEYER. Mr. Speaker, the proposed resolution was read, but the report was not read. The resolution does not indicate what the action of the committee is. Was the resolution read in full?

The SPEAKER pro tempore. The resolution was reported in full, but not the report of the committee.

Mr. RAMSEYER. If the resolution is taken up for consideration now, will the report be read so that we may know what the report contains as well as what the resolution contains?

Mr. GRAHAM. It would not ordinarily, as I understand the practice.

Mr. RAMSEYER. It ought to be read and put in the RECORD. Do I understand that it is the unanimous report of the committee?

Mr. GRAHAM. The resolution is the unanimous report of the whole committee.

Mr. RAMSEYER. There are differences as to the report?

Mr. GRAHAM. No; no differences about the facts, but two Members think that it ought to go further and consider impeachment, but they abandoned that view and joined with the rest of us in reporting the resolution, which comments upon the conduct of the judge as conduct that ought to be deprecated, but we do not believe that it is a proper basis for impeachment.

Mr. RAMSEYER. Mr. Speaker, inasmuch as this is the unanimous report of the committee I withdraw my reservation to objection and will leave the resolution to take its natural course under the rules of the House.

The SPEAKER pro tempore. Is there objection to the consideration of the resolution?

Mr. BRIGGS. Reserving the right to object, is the report lengthy?

The SPEAKER pro tempore. The report of the committee incorporates the resolution and covers about two pages. Is there objection?

There was no objection.

The resolutions were agreed to.

Mr. BRIGGS. Mr. Speaker, will the report be printed in the RECORD?

The SPEAKER pro tempore. Without objection, the report will be printed in the RECORD.

There was no objection.

The report is as follows:

[House of Representatives Report No. 1106, Seventy-first Congress, second session]

CHARGES AGAINST HON. GROVER M. MOSCOWITZ, UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

Mr. GRAHAM, from the Committee on the Judiciary, submitted the following report:

Under authority of House Joint Resolutions 431 and 434, Seventieth Congress, a subcommittee of the Committee on the Judiciary of the House of Representatives was appointed from the membership to inquire into the official conduct of Grover M. Moscowitz, United States district judge for the eastern district of New York, and the said subcommittee, having made the investigation which they were authorized to make, reported to the Judiciary Committee of the Seventy-first Congress in pursuance of the direction contained in said resolutions, and a copy of their report is hereto attached and made a part of this report.

The Committee on the Judiciary, after a full discussion and consideration of the report of the subcommittee, has decided and recommends:

First. That the House concur in the finding of the subcommittee "that sufficient facts have not been presented or adduced to warrant the interposition of the constitutional powers of impeachment by the House."

Second. This committee further reports: They join in the further finding of the subcommittee that it "can not and does not indorse a business arrangement of Judge Moscowitz with his former partner which continued after Judge Moscowitz became a district judge, especially when he was appointing members of the legal firm to which this former partner belonged, to various receiverships in his court."

We respectfully further find and report that the action of Judge Moscowitz in the matters referred to and from the whole of the testimony is not only not to be indorsed but is deserving of condemnation as unethical and dangerous and threatening the destruction of the confidence of the bar and the community in the court, and calculated to bring it into discredit, and the committee recommends that this report and the following resolutions be adopted by the House:

Resolved, That the House of Representatives hereby adopts the report of the Committee on the Judiciary relative to the charges filed against Hon. Grover M. Moscowitz, United States district judge for the eastern district of New York; and further

Resolved, That no further action be taken by the House with reference to the charges heretofore filed with the committee against Hon. Grover M. Moscowitz, United States district judge for the eastern district of New York.

The report of the subcommittee is as follows:

"INVESTIGATION OF THE OFFICIAL CONDUCT OF GROVER M. MOSCOWITZ, UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

"The special committee appointed by House Joint Resolutions 431 and 434, second session, Seventieth Congress, to inquire into the official conduct of Grover M. Moscowitz, United States district judge from the eastern district of New York, submits the following report to the Committee on the Judiciary.

"The joint resolutions creating the committee are as follows:

"Public Resolution 102, Seventieth Congress

"House Joint Resolution 431

"Joint resolution providing for the investigation of Grover M. Moscowitz, United States district judge for the eastern district of New York

"Whereas certain statements against Grover M. Moscowitz, United States district judge for the eastern district of New York, have been transmitted by the Speaker of the House of Representatives to the Judiciary Committee: Therefore be it

"*Resolved, etc.*, That EARL C. MICHENER, J. BANKS KURTZ, C. ELLIS MOORE, ROYAL H. WELLER, and HENRY ST. GEORGE TUCKER, being a subcommittee of the Committee on the Judiciary of the House of Representatives, be, and they are hereby, authorized and directed to inquire into the official conduct of Grover M. Moscowitz, United States district judge for the eastern district of New York, and to report to the Committee on the Judiciary of the House whether in their opinion the said Grover M. Moscowitz has been guilty of any acts which in contemplation of the Constitution are high crimes or misdemeanors requiring the interposition of the constitutional powers of the House; and that the

said special committee have power to hold meetings in the city of Washington, D. C., and elsewhere, and to send for persons and papers, to administer the customary oaths to witnesses, all process to be signed by the Clerk of the House of Representatives under its seal and be served by the Sergeant at Arms of the House or his special messenger; to sit during the sessions of the House until adjournment sine die of the Seventieth Congress and thereafter until said inquiry is completed, and report to the Committee on the Judiciary of the House of the Seventy-first Congress.

"Sec. 2. That said special committee be, and the same is hereby, authorized to employ such stenographic, clerical, and other assistance as they may deem necessary, and all expenses incurred by said special committee, including the expenses of such committee when sitting in or outside the District of Columbia, shall be paid out of the contingent fund of the House of Representatives on vouchers ordered by said committee, signed by the chairman of said committee: *Provided, however*, That the total expenditures authorized by this resolution shall not exceed the sum of \$5,000.

"Approved, March 2, 1929."

"Public Resolution 103, Seventieth Congress

"House Joint Resolution 434

"Joint resolution to appoint HOMER W. HALL a member of the subcommittee of the Committee on the Judiciary established under House Joint Resolution 431, to inquire into the official conduct of Grover M. Moscowitz, United States district judge for the eastern district of New York.

"*Resolved, etc.*, That HOMER W. HALL, a member of the Committee on the Judiciary of the House of Representatives, be, and he is hereby, appointed a member of the subcommittee of the Committee on the Judiciary of the House of Representatives established by House Joint Resolution 431 to inquire into the official conduct of Grover M. Moscowitz, United States district judge for the eastern district of New York, vice Royal H. Weller, deceased.

"Approved March 4, 1929"

"This investigation had its origin in a letter addressed to the Speaker of the House of Representatives by Representative ANDREW L. SOMERS, of the sixth New York district, transmitting to the Speaker a statement made by Sidney Levine and Joseph Levine, also some correspondence submitted by J. C. Rochester Co. (Inc.), charging misconduct on the part of Judge Grover M. Moscowitz.

"The Speaker of the House referred the matter to the Committee on the Judiciary, and owing to the fact that the Seventieth Congress was about to expire, House Joint Resolution 431 was presented by the chairman of the Committee on the Judiciary for the purpose of giving vitality to a subcommittee that might make an investigation during the recess and report to the Judiciary Committee in the next Congress.

"Pursuant to the terms of said resolutions the committee held hearings in the city of New York from April 8 to April 13, 1929, inclusive; also from June 17 to June 19, inclusive. Additional witnesses and oral argument of counsel were heard in the city of Washington on December 17 and 18, 1929. The full membership of the Committee on the Judiciary attended the proceedings on December 17 and 18, 1929.

"Representative SOMERS, the proponent of the charges, together with his counsel, Howard Carter Dickinson, Esq., and Kenneth F. Simpson, Esq., attended all the hearings. Judge Grover M. Moscowitz, together with his counsel, John W. Davis, Esq., and Theodore Kiendl, Esq., also attended all the hearings. Extensive printed briefs were submitted by counsel on either side, and counsel on either side presented oral arguments before the entire Judiciary Committee. All witnesses suggested by the proponents and by counsel for Judge Moscowitz were fully heard, and all witnesses were submitted to cross-examination by opposing counsel. The hearings and arguments of counsel cover 1,371 pages of printed matter, copies of which have heretofore been presented to each member of the Judiciary Committee of the House.

"In making this investigation the committee had the assistance of an experienced investigator from the Bureau of Investigation, Department of Justice, as well as the assistance of an expert accountant from the same department. Every person who the committee thought had any information bearing upon the subject matter of inquiry was heard and voluminous court records were inspected, much of this material being included in the printed hearings as exhibits.

"After seeing the witnesses, hearing them testify, and with due regard to the argument of counsel and all of the evidence in the case, individual members of this committee do not approve each and every act of Judge Moscowitz concerning which evidence was introduced. For example, the committee can not and does not indorse a business arrangement of Judge Moscowitz with his former partner which continued after Judge Moscowitz became a district judge, especially when he was appointing members of the legal firm to which this former partner belonged to various receiverships in his court. While this committee finds nothing corrupt in these transactions, yet this procedure throws the court open to criticism and misunderstanding by the uninformed, as has happened

in this case; and, therefore, this committee can not and does not indorse this practice.

"Nevertheless, after a careful consideration of all the evidence in the case, and giving full consideration to the problems and persons with which the court had to deal, this committee is unanimous in its opinion that sufficient facts have not been presented or adduced to warrant the interposition of the constitutional powers of impeachment by the House.

"EARL C. MICHENER,

"J. BANKS KURTZ,

"C. ELLIS MOORE,

"HOMER W. HALL,

"H. S. G. TUCKER,

"Subcommittee.

"ADDITIONAL VIEWS

"We hereby agree with the expressions of condemnation contained in the majority report but individually we hold the view that the evidence would justify a resolution of impeachment.

"F. LAGUARDIA.

"HATTON W. SUMNERS."

CONSOLIDATION OF ACTIVITIES AFFECTING WAR VETERANS

Mr. MICHENER. Mr. Speaker, by direction of the Committee on Rules I call up the privileged House Resolution 200, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 200

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10630, a bill to authorize the President to consolidate and coordinate governmental activities affecting war veterans. That after general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Expenditures in the Executive Departments, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MICHENER. Mr. Speaker, this rule makes in order H. R. 10630, the purpose of which is to consolidate and coordinate all the activities having to do with veterans' relief, including the Veterans' Bureau, the National Homes for Disabled Volunteer Soldiers, and the Pension Bureau, and to establish one administration over these various activities. The rule is the usual rule. It allows ample time for general debate. The bill will be read under the 5-minute rule. I might say that the report of the committee reporting the bill is particularly illuminating. No effort will be made in the discussion of the rule to explain the bill, because the report fully explains it and the committee is prepared to go into all details.

I yield 10 minutes to the gentleman from New York [Mr. O'CONNOR], a minority member of the Committee on Rules.

Mr. O'CONNOR of New York. Mr. Speaker, ladies and gentlemen of the House, my purpose in taking the floor on this rule is to call to the attention of the few Members who are here what I believe to be a very serious proposition which comes before the House, but what seems to have come in here now as though there was nothing to it, as if everybody was in favor of it.

When the matter came before the Rules Committee yesterday—and I am not disclosing any secrets, because it was an open session of the committee—the Rules Committee was informed that everybody interested was in favor of this bill. I asked Mr. WILLIAMSON, the chairman of the Committee on Expenditures in the Executive Departments, which committee reported the bill, the specific question in this identical language, "What opposition, if any, is there to this bill?" The distinguished chairman, who has written such an interesting report, said, "No one that I know of." I presume each member of the Committee on Rules, relying on that statement, acted as I did in voting to report a rule to bring this bill up for consideration. The action was assumed to be perfunctory.

When I came into the House this morning, however, I found the ranking minority member of the committee and other minority members opposed to the bill. I also was informed that several Republican members of the committee were opposed to the bill; that, in fact, the bill was reported out of the committee when there were only 10 members of the committee present, whereas the committee is composed of 21 members. If this is the exact fact I believe a point of order would lie against the consideration of the bill. I am sure if the Rules

Committee had before it that information it would have given the question greater consideration than it did.

As to what position I shall take on the bill, I have not yet made up my mind. The bill is far-reaching and may affect nearly 1,000,000 veterans of our wars. For that reason alone it should not be rushed through this House. Of course, it is not going to be rushed through from the standpoint of time, because four hours of debate have been assigned to consideration of the bill; but that consideration should not be approached in the first instance, in my opinion, in a merely perfunctory manner.

The bill provides for the consolidation of the Veterans' Bureau, the National Home for Disabled Volunteer Soldiers, and the Pension Bureau. It is stated in the report accompanying the bill that it does not affect the Army and Navy hospitals and clinics or the Soldiers' Home in Washington, D. C., or the United States Naval Home in Philadelphia. It puts under one head the administration of pensions, disability payments, compensation, hospitalization, and home care, while purporting not to affect the laws relating to those matters.

Mr. GASQUE. If the gentleman will permit, I think if he will look into it he will see that it does affect the Army and Navy hospitals.

Mr. O'CONNOR of New York. That may be, and I understand that is one of the questions which will be raised, but reading the intention of the measure as set forth in the report there seems to be no intention to take in the Army and Navy hospitals. The purpose of the bill, as stated in the report, is to equalize the benefits of all veterans of all wars, including pensions and compensation. This, of course, applies to the veterans of the Civil War, the Spanish-American War, and the World War. It is stated that this equalization will immediately be effective as to hospitalization and home care and will ultimately result in parity in pension and compensation. For one, I am not excited about this consolidation of bureaus if it is merely for the purpose of economy in administration, and especially if there is the slightest danger that those economies may work to the detriment of the veterans. What should be given the most earnest consideration by the House is the result of this consolidation on the welfare of the veterans. Within the space of one generation the cost to the Federal Government of pensions and compensation to the veterans of our wars has grown from \$138,000,000 to about \$800,000,000. The number of veterans receiving payments has not materially increased. This is about one-third of the total collections of our Government in income taxes and about one-fifth of our National Budget. Everyone knows that the veterans of the World War are getting the major proportion of that, but if this bill does not alone equalize the benefits to all veterans in hospitalization and similar relief, but also equalizes the benefits to pensions and compensation—

Mr. RANKIN. Oh, I call the gentleman's attention to the fact that he is mistaken in his statement that the World War veterans are getting the majority. More money is going directly to the veterans of the Civil War and the Spanish-American War than to the World War veterans.

Mr. O'CONNOR of New York. I accept the gentleman's correction, because he is an authority on the subject of veterans' relief. What I meant to say was that in some instances, at least, veterans of the World War are receiving larger pensions and compensations than veterans of other wars. I have mentioned the large amount already being paid to veterans for the sole purpose of pointing out what I fear may happen. Our veterans are entitled to every dollar of the \$800,000,000 now being paid to them, but if it is proposed to equalize pensions and compensations, as well as other relief, and then under a mandate from the Executive no additional appropriations will be approved, and still demand is made that the veterans of the Civil War and the veterans of the Spanish-American War be treated on a parity with the veterans of the World War—well, we may be faced with a dilemma which we can imagine might interfere with the present pension and compensation to the World War veterans.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. COCHRAN of Missouri. The question of equalizing pensions was not discussed in connection with this bill. The committee had no jurisdiction over such matters. It might be in the report, but there is nothing in the bill to arouse discussion over the question of equalizing pensions. It is a mere question of consolidation and coordination and does not affect the rate of pension anywhere.

Mr. O'CONNOR of New York. Permit me to say to the gentleman that the purpose of a report is to guide the House as

to what is proposed in the bill. For instance, at the bottom of page 4 of the report it is said:

It will aid in eliminating existing inequalities in pensions and compensation.

Mr. COCHRAN of Missouri. That is the report of the chairman and I see no reason why such language should have been included.

Mr. O'CONNOR of New York. Very well; but it is definitely so stated. Now, everyone is for economy if it does not affect adversely the worthy veteran.

Everybody is for the "simplicity of procedure." Everybody is for "uniformity of treatment and services." Everybody is for speedier decisions in the matters concerning veterans, and everybody is for unification or centralization, a place where the veterans can go with all their troubles rather than to be compelled to "ship" here and there to get the relief to which they are entitled. It may be that everybody will be for the "reparation of domiciliary care from hospital service."

Mr. RANKIN. Mr. Speaker, will the gentleman yield there?

Mr. O'CONNOR of New York. Yes.

Mr. RANKIN. The chairman of the committee [Mr. WILLIAMSON] is here, and he can explain what the bill means. If the bill does not do what the report says it does, he can answer now.

Mr. O'CONNOR of New York. The report on page 6 says the bill "will iron out present inequalities and place all veterans of similar age and suffering similar disabilities upon approximately the same plane with respect to the relief extended, whether it be hospitalization, domiciliary care, pension, or compensation." That is the exact language. Now, either one of two things may happen: Either the pensions and compensation of the World War veterans may be brought down or that of the Civil War and Spanish-American War veterans may be brought up. I do not say that they should not be brought up, but it is a matter for the serious consideration of this House.

Mr. GARBER of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. GARBER of Oklahoma. The gentleman will recognize that the bill itself, not the report, will be controlling, and if you read the sections of the bill I do not think you will find a single line that changes the compensation.

Mr. O'CONNOR of New York. Oh, I agree to that. The bill itself simply sets up a new administrative department, but what that department does in recommending the "ironing out" of "inequalities" may be important. I therefore submit to the consideration of the House the question as to what is going to be the outcome of this most important measure, which, in the first instance, was represented to us as being purely innocuous.

Mr. MICHENER. Mr. Speaker, four hours are allowed by the rule for general debate. The Committee on Rules has not studied the details of this bill. However, the committee understood that a large majority of the members of the committee who framed the bill favored the report. So the report was filed.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. Yes.

Mr. SCHAFER of Wisconsin. When the committee voted on reporting the bill there was not one vote against reporting it out.

Mr. MICHENER. Four hours of time are provided in the rule, so that the matter may be thoroughly discussed. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The question was taken, and the resolution was agreed to.

Mr. WILLIAMSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10630.

The motion was agreed to.

The SPEAKER pro tempore. The Chair will ask the gentleman from New Hampshire [Mr. HALE] to take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10630, with Mr. HALE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10630, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10630) to authorize the President to consolidate and coordinate governmental activities affecting war veterans.

Mr. WILLIAMSON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. Under the rule the gentleman from South Dakota is recognized for two hours.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Under the rules of the House can any one Member be recognized for more than one hour?

The CHAIRMAN. The gentleman himself can use one hour, but he can control two hours under the rule.

Mr. WILLIAMSON. Mr. Chairman and ladies and gentlemen of the committee, it is not my purpose at this time to enter into a lengthy discussion of the bill now under consideration, which authorizes the President to consolidate and coordinate governmental activities affecting war veterans.

Various bills have been introduced during the past several years looking to the consolidation of the three agencies now dealing with various phases of the veterans' relief problem. The original bill, which was introduced by my colleague [ROYAL C. JOHNSON], provided for setting up a new department, with a Cabinet member at its head, into which were brought the Pension Bureau, the National Home for Disabled Volunteer Soldiers, and the Veterans' Bureau. When this bill came up for consideration before our committee it was indefinitely postponed, as the committee did not think that a new Cabinet position should be established.

Mr. JOHNSON then introduced H. R. 16722, authorizing the President to consolidate and coordinate governmental activities affecting war veterans in the Veterans' Bureau. Upon this bill hearings were had in the Seventieth Congress. The hearings, however, were concluded so late in the session that the committee took no action upon the measure.

My colleague did not reintroduce the bill in the Seventy-first Congress. I therefore, as chairman of the committee, introduced a new bill—H. R. 6141—differing considerably in detail from the Johnson bill.

Mr. Chairman and members of the committee, in view of the discussion that has just taken place on the floor of the House with reference to the manner in which this bill was reported and whether or not there was opposition in the committee, and so forth, perhaps I should make a brief preliminary statement in reference to that particular matter.

This matter of consolidating the veterans' activities has been under consideration by various committees of the House for at least three or four years. When the Committee on Expenditures in the Executive Departments was organized, that committee acquired jurisdiction of this particular legislation. We had hearings at the last session of Congress, extensive hearings, but, due to the fact that these hearings were not completed until toward the end of the session, no report was made by the committee on the bill then pending. At the beginning of this session a new bill (H. R. 6141) was introduced proposing to consolidate these activities in the Veterans' Bureau. Extensive hearings were held on that bill.

When finally the committee met in executive session, I invited the 17 or 18 members of the committee who were present to frankly state their views with respect to the bill then pending before the committee, as to the proposed set-up. The particular question that was discussed was whether the three activities—the Pension Bureau, the Veterans' Bureau, and the Home for Disabled Volunteer Soldiers—should be consolidated in the Veterans' Bureau. That was what the bill proposed. The question was raised whether it would not be better to set up an entirely new activity, which had been advocated by the Pension Bureau and by the National Soldiers' Home in particular.

At that time each individual member of the committee, without dissent, expressed himself to the effect that there should be set up an entirely new administrative activity, so that the three existing activities might be taken into a new establishment upon exactly the same terms. The chairman of the committee was directed to redraft the bill. Without further consultation with anyone, I prepared a new draft of the bill, in conformity with what I thought was the wish of the committee. I then called in the three ranking members on the Democratic side of the committee and the three ranking Republican members of the committee as a sort of subcommittee, and we went over the bill line by line. A few changes were made. It was then suggested that I take the bill to the White House and consult the President with regard to it before reintroducing it. This I did, and then reintroduced the bill. It is that bill, H. R. 10630, which was finally reported out, without any changes,

except the amendments proposed in the committee report. That is the bill that is before you now.

Mr. ABERNETHY. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. ABERNETHY. Under the proposed bill, under which Cabinet officer would this come?

Mr. WILLIAMSON. It does not come under any member of the Cabinet. It remains an entirely independent establishment, responsible directly to the President.

Mr. ABERNETHY. At present the Pension Bureau is under the Interior Department.

Mr. WILLIAMSON. The Interior Department; yes.

Mr. ABERNETHY. And the Veterans' Bureau is independent at this time?

Mr. WILLIAMSON. Yes, sir. So is the national home.

Mr. ABERNETHY. And there will be no Cabinet officer that has anything in the world to do with this proposal?

Mr. WILLIAMSON. That is correct.

Mr. ABERNETHY. It is directed by the President?

Mr. WILLIAMSON. Yes; the administrator is responsible directly to the President.

Mr. ABERNETHY. Would it not be a good idea to abolish the Cabinet? If we are going to coordinate and put everything in the hands of the President, might we not just as well abolish the Cabinet?

Mr. WILLIAMSON. I do not care to discuss that particular phase of the matter, because I think the opinion is universal among all veteran organizations, without exception, that we should set up an entirely separate and distinct establishment, responsible to the President alone and that it should not be placed under any Cabinet officer.

Mr. WOODRUM. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. WOODRUM. As I understood the gentleman, hearings were conducted on a different bill than the bill that has been reported?

Mr. WILLIAMSON. Yes, sir.

Mr. WOODRUM. The bill upon which hearings were conducted provided for the consolidation of the several activities in the Veterans' Bureau?

Mr. WILLIAMSON. Yes, sir.

Mr. WOODRUM. What attitude did the several departments take on the bill, if they appeared before the gentleman's committee?

Mr. WILLIAMSON. The attitude of the departments upon the bill, as it was originally proposed, was that they were opposed to it. The Pension Bureau took the position that it should not be swallowed up in the Veterans' Bureau. The National Soldiers' Home took the same position. Those appearing for them claimed they were the older organizations, that they were well organized, and doing efficient work. They contended that they should not be put into the youngest organization. The witnesses who appeared before the committee all agreed, however, that there should be coordination with consolidation as the ultimate goal. The Secretary of the Interior, General Wood, and Colonel Church, the head of the Pension Bureau, came before the committee, and the hearings will show that they all declared themselves in favor of bringing the organizations they represented under one head so as to unify and coordinate them, but refused to go the whole way.

Mr. WOODRUM. They were all favorable to a consolidation?

Mr. WILLIAMSON. They were all favorable to what they termed coordination. I do not want to be understood as saying that they were favorable to the particular set-up we have here, because the consolidation proposed in the bill goes a little further than the National Home and the Pension Bureau are willing to go.

Mr. WOODRUM. Can the gentleman give the House any information as to what the attitude of the several departments was toward the particular bill that is now brought before us?

Mr. WILLIAMSON. I do not know as I am in a position to state, because the departments have not voiced any sentiment with reference to the particular bill now before the committee.

Mr. WOODRUM. Is it not unusual to bring a piece of legislation before the Congress revolutionizing several departments without being able to say to the House what those departments think about it?

Mr. WILLIAMSON. The departments had ample opportunity to be heard upon the bill before the committee, and this bill was drafted with a view to carrying out the very idea that the departments themselves advocated. Of course, they wanted only a perfunctory arrangement which would not disturb them, a supervising assistant secretary of some sort, with no powers that would permit effective reorganization.

Mr. WOODRUM. But the gentleman stated to the committee that after having hearings on one bill and closing the hearings the gentleman rewrote the bill.

Mr. WILLIAMSON. The gentleman knows that is done over and over again, if it becomes necessary, to make sufficient changes in the bill so that it is not advisable to amend it. It is redrafted and a new bill introduced. That is a common procedure in all committees. It is not a new bill. It is the old bill with a different set-up, which appears in the first and second sections only. Aside from that, the bill is the same as the old bill.

Mr. WOODRUM. But from the statement of the gentleman it is entirely different, I think, from what was contained in the other bill?

Mr. WILLIAMSON. It is entirely different from what was contained in the other bill with reference to one thing only. The original bill provided for the consolidation in the Veterans' Bureau. In this case we create a new establishment and put them all under the new establishment.

Mr. ARNOLD. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. ARNOLD. I have not had an opportunity to study this bill, but I would like to ask the gentleman who will be the real directing head of this consolidated activity?

Mr. WILLIAMSON. The real directing head of the consolidated activity, I assume, would be the President, because the administrator is answerable to him. However, the actual directing head will be the administrator of veterans' affairs, into whose hands these three activities are placed, and they will be under his direction.

Mr. ARNOLD. That is a new position created.

Mr. WILLIAMSON. That is a new position created, and the only one created.

Mr. ARNOLD. He will be the directing head?

Mr. WILLIAMSON. Yes.

Mr. ARNOLD. And he will direct the activities of these three general subdivisions?

Mr. WILLIAMSON. Yes; that is correct.

Mr. ARNOLD. Who appoints the director?

Mr. WILLIAMSON. The President of the United States appoints the director. Now, I would like to proceed with my general statement. I think my statement will answer many of the questions which may be in the minds of Members, if I am permitted to go ahead. In drafting the report on this bill I explained each section so there could not be any possible misunderstanding as to what the bill will do. I think this House is entitled to know, in a matter as important as this, just exactly what the legislation may be expected to accomplish if it is adopted by the House.

Section I provides for the consolidation and coordination of all veterans' activities, including the Veterans' Bureau, the National Home for Disabled Volunteer Soldiers, and the Pension Bureau, into a new establishment to be known as the department of veterans' affairs. This name was suggested by the President and was adopted by the committee.

Considerable thought was given to the language used in this section. I endeavored to make the language broad enough so as to enable the President to bring into the new organization any hospital units now operated by some other department of the Government in the event that such units at any future time should no longer be needed by the department now conducting them.

When the bill was first introduced some fear was expressed by the War Department that the language used might result in the President taking over hospitals now operated by the Military or Naval Establishment. Fairly examined, section 1 does not lend itself to this construction. Army and naval hospitals and clinics utilized for the treatment of soldiers and sailors; the United States Soldiers' Home, Washington, D. C.; and the United States Naval Home, Philadelphia, Pa., do not come within the terms of the bill and are not affected. So far as I have been able to learn, the language carried is satisfactory to both the War Department and the Navy Department.

I now come to subdivision (b) of section 1, which, I understand, a number of the members of the committee object to. It is, however, in my judgment an important and very essential part of the bill.

Subdivision (b) of section 1 gives broad powers to the new administrator to consolidate, eliminate, or redistribute the functions of the bureaus, agencies, offices, or activities when brought into the new administration of veterans' affairs. These powers, however, relate only to those bureaus, agencies, and activities which are created by administrative action, and would not authorize the administrator, for illustration, to abolish the

Pension Bureau, which is of statutory origin. In other words, the bill does not change existing law nor the duties or obligations imposed upon the various heads of the present organizations toward the veterans, but leaves these laws intact in order that there may be no disturbance of the various kinds of relief extended to the veterans of the various wars.

While there is nothing in the bill contemplating a present change in any of these laws, it is expected that it will form the basis of future legislation, with a view to more nearly equalizing the benefits bestowed upon the veterans of the various wars and eliminating many of the existing injustices which have given rise to agitation and complaint by veterans all over the country.

In view of the fact that there is going to be opposition to this particular part of the bill—and as I understand a motion will be made to strike it out—I think it well at this time to discuss it just a moment longer. There has been a general fear expressed by Spanish War veterans that this set-up might result in abolishing the Pension Bureau. Frankly, I can see no basis for this fear. The Pension Bureau will continue to function about as it does now, doubtless with added duties. There must be an agency to administer pensions, and there is no better agency that I know of than the present Pension Bureau. However, we are transferring the powers and functions of the Commissioner of Pensions technically to the new administrator, and this, of course, is essential in order to work out a harmonious program, but the bureau remains and will carry on as provided by law. The Commissioner of Pensions will remain and doubtless function much as he does now. Seventy per cent of the compensation cases have become fixed. These compensation cases are nothing more nor less than service pensions, and there is no reason why they could not be handled by the Pension Bureau, which has all the machinery with which to handle them at low cost. But so far as pensions are concerned, the pensioners should know that their cases will be taken care of just as expeditiously as they are now and that there will be no change of their status as a result of this bill. I know of no protests from pensioners. The protests come from bureau officials, who have been doing more lobbying than anybody else.

Mr. RANKIN. Will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mr. RANKIN. Then, as I understand the gentleman from South Dakota, this is not an economic measure. Instead of reducing the number of bureaus, you increase them by one.

Mr. WILLIAMSON. No; I do not think that will be the situation. I may say to the gentleman from Mississippi.

Mr. RANKIN. My understanding was that the bill virtually abolished both the Veterans' Bureau and the Pension Bureau and consolidated all of those activities into a new bureau. Now I find from the gentleman's speech that it leaves the Veterans' Bureau intact, leaves the Pension Bureau intact, and creates this third superbureau.

Mr. WILLIAMSON. No; it does nothing of the sort in the sense the gentleman has referred to the matter. What I said was that we are transferring the powers to-day exercised by the Commissioner of Pensions, the duties to-day exercised by the Director of the Veterans' Bureau, and the functions of the Board of Managers of the National Homes for Disabled Volunteer Soldiers to a new administrator. We provide for a new administrative head, and we give him sufficient power under subdivision (b) of section 1 to reorganize these units in any manner he sees fit, but he can not abolish any bureau which is provided for by law.

The Pension Bureau is one of the bureaus created by law; so is the Veterans' Bureau. What I am trying to make the gentleman understand is that the administrator has ample authority to eliminate or consolidate administrative bureaus within these activities whenever he shall find there is duplication of function. This authority is essential. Without it he can not possibly work out a clean-cut, homogeneous, coordinating organization.

Mr. RANKIN. Now, the gentleman talks about placing these veterans of different wars with the same disabilities on the same plane. We will say here are three soldiers. One of them is a Civil War veteran, and, of course, his disability is due to age and he gets \$72 per month, whether he was a buck private or a major general; a Spanish War veteran gets \$50 per month, whether he was a buck private or a major general; but if he is a World War veteran and was a private or an enlisted man, as they are usually referred to, and has a minor disability amounting to no more than 30 per cent, he would only get \$30 per month, while, of course, if he were a colonel with only a 30 per cent disability, he would, under the present emergency officers' retirement law, get \$262.50 per month. Now, I want to know if there is going to be any power vested in this new bureau

to equalize those benefits and pay those men according to their disabilities, regardless of which war they were in or what rank they attained.

Mr. WILLIAMSON. So far as this bill is concerned, it gives the new administrator no power whatever in that direction. We are not changing the law. The hope of the committee—at least it is in the back of my head—is that this reorganization will serve as a basis for a complete restudy and revamping of the legislation having to do with veterans, with a view to equalizing, so far as possible, the benefits now received by the veterans of the several wars. It is a very common thing for a Spanish War veteran, a Civil War veteran, and a World War veteran to be thrown together, for instance, in a national home. They can compare the benefits they are receiving. A Spanish War veteran with certain disabilities may find he is receiving less than a World War veteran is receiving who is suffering from like disabilities, and that they are not compensated upon the same basis. The correction of these injustices is one of the goals this committee has in mind.

Mr. RANKIN. Or he may be receiving twice as much.

Mr. WILLIAMSON. That is true. Now, this committee does not deal with war veterans' legislation; that is your committee's business, and my thought was this: If you can bring all of these units into one organization under one administrator, he will be in a position to codify the laws, to give advice to committees, and to make suggestions as to what may be done in the way of equalizing benefits.

I think something should be done along those lines, and I think we should work out a definite program for the future, so that in case of a future war the veterans of that war will be automatically taken care of. We should avoid the chaos that we had in connection with such legislation immediately following the World War.

We have already appointed, or we passed a resolution in this House the other day providing for the appointment of a joint committee to study this problem, and it will be up to the joint committee or the veterans' committee or some other committee to undertake this work. Our committee can only deal with the organization end of it.

Mr. ARNOLD. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. ARNOLD. Under existing law, provision is made for appeals from the Commissioner of Pensions to the Secretary of the Interior and from the finding of the board of appeals to the Director of the Veterans' Bureau in individual cases. To whom would such appeals go in the event of the enactment of this legislation?

Mr. WILLIAMSON. All appeals in those cases would go to the new administrator of veterans' affairs. The appeals would go through the Pension and Veterans' Bureaus just as they do now, with a final appeal from the commissioner and director to the new administrator.

Mr. ARNOLD. Then you do retain a director in each one of these separate agencies?

Mr. WILLIAMSON. Yes. We do not abolish the position or office of Director of the Veterans' Bureau, nor do we abolish the office of Commissioner of Pensions. These positions still remain, but what we do is to transfer the powers of these two offices to the new administrator so he will have power to manage the two activities and reorganize them in any way he sees fit.

Mr. ARNOLD. It occurs to me from what the gentleman has said that you are retaining practically all the machinery you have now in these three departments and creating this new director.

Mr. WILLIAMSON. No. Of course, for the time being I think that should be done. In other words, you can not do this whole thing overnight. The bill leaves it in such situation that they can continue to function as they are functioning now until the new administrator shall have time to work out the reorganization problems; but in subdivision (a) of section 1 we have given him ample authority, under the direction of the President, to effect the reorganization. To abolish these offices would create chaos, and I do not think it would be advisable to do that. We are retaining these positions, and it is for Congress to determine in the future whether they are to be retained permanently. The Veterans' Bureau is not the same thing as the Pension Bureau, and, manifestly, you would have to carry out the functions of both in the new set-up with such eliminations of duplication as a study of the situation would warrant. My thought is that the Pension Bureau will probably take over some other work now being done by the Veterans' Bureau in dealing with compensation cases, particularly those which have become fixed. This is a thing which the administrator will have to work out.

Mr. ARNOLD. Does not the gentleman think that with the increasing number of claims we have in the Veterans' Bureau and in the Pension Bureau, if you center the final appeal in all cases in the manager of the consolidated activities, you are imposing upon him a superhuman burden?

Mr. WILLIAMSON. I do not think so. The fact of the matter is there are very few appeals from the Pension Bureau that go to the Secretary of the Interior. There is one in a great while, but there are comparatively few. There are not many appeals from the appeals board in the Veterans' Bureau to the director. The director does not decide very many cases personally. They are decided by the board of appeals and, manifestly, some system for handling appeals will have to be worked out that will simplify and speed up the procedure. In other words, the new director could not undertake to decide every case in person but, nevertheless, the veterans think there should be an appeal to the head of the administration so that there will be some one who will have a final voice in disposing of appeals.

Mr. ARNOLD. How much of an organization will this new director general that you are providing for require?

Mr. WILLIAMSON. No new organization is provided for in this bill. The only new thing we create is an administrator. It is his business to supervise, direct, and coordinate the existing organizations with such changes as he shall think advantageous.

Mr. ARNOLD. He would have to have an office force, a secretary, and stenographers, and assistants.

Mr. WILLIAMSON. We are transferring to him, as I have explained, the duties, obligations, and the powers of the three existing divisions. He will have ample authority to utilize the existing personnel in his own office. We do not have to set up any new organization there or provide for a new force.

Mr. RANKIN. If the gentleman will permit, is not this a more or less roundabout way of taking over these disabled volunteer soldiers' homes?

Mr. WILLIAMSON. This is not a roundabout way of doing so. The bill does it directly.

Mr. RANKIN. I mean, you turn them over to the Veterans' Bureau.

Mr. WILLIAMSON. No; it does not turn them over to the Veterans' Bureau.

Mr. RANKIN. Will not this superdirector, likely, turn them over to the Veterans' Bureau and use them for hospitals?

Mr. WILLIAMSON. Why should he?

Mr. RANKIN. Because there has been an effort here in the House for the last several years to do that and there have been protests coming from the old Federal soldiers, and it seems to me that under this bill, in a roundabout way, you are going to take over those volunteer soldiers' homes, which is about the only thing you are accomplishing by the bill, and whenever you do that they will then be turned over to the Veterans' Bureau.

Mr. WILLIAMSON. I may say to the gentleman that if he wants to have the veterans of the World War eternally supervised by three separate and distinct governmental agencies he can follow that course, but at the present time about 80 per cent of the veterans we are taking care of are World War veterans. What is the necessity of having separate institutions and separate organizations to take care of these veterans when the majority of the veterans in the national homes to-day are World War veterans?

Mr. RANKIN. Why disturb the Pension Bureau? The Pension Bureau is run on infinitely a more economical plan than the Veterans' Bureau. There is no kick coming from those who are under the Pension Bureau. There is no demand from World War veterans that I know anything about to get under the Pension Bureau; and even if there was, this would not put them under that bureau. So why not take the soldiers' homes and the Veterans' Bureau and go squarely to the point and say we are consolidating them and turning these volunteer soldiers' homes over to the Veterans' Bureau and let the Pension Bureau continue its present economical course?

Mr. SPEAKS. Will the gentleman yield for just one question?

Mr. WILLIAMSON. Yes.

Mr. SPEAKS. If this bill should become a law, will it in any manner correct the inequalities and injustices existing in the present system of making awards for disabilities?

Mr. WILLIAMSON. Well, I know of no way by which I can say in advance what the effect will be in that respect. A great deal will depend upon your new administrator. If he is the right kind of an organizer, I think much may be accomplished in providing better procedure.

Mr. SPEAKS. All that the administrator can do is that which the law authorizes him to do.

Mr. WILLIAMSON. Exactly.

Mr. SPEAKS. Would this law authorize the administrator to correct the inequalities and the injustices resulting from the present arrangement?

Mr. WILLIAMSON. I do not know what the gentleman means by inequalities and injustices.

Mr. SPEAKS. I mean where one veteran receives \$100 a month for a disability and a soldier of another war, for a similar disability, receives \$60 a month.

Mr. WILLIAMSON. The administrator does not have a thing to do with that.

Mr. SPEAKS. Then this bill, if it becomes a law, will not change the plan so that these injustices will be corrected.

Mr. WILLIAMSON. Not at all. That is a matter that Congress alone can deal with.

Mr. SPEAKS. All right. Now, another question. If this bill becomes a law it will increase the personnel and the overhead expenses.

Mr. WILLIAMSON. I do not think that is at all probable; it will reduce the personnel in the end.

Mr. SPEAKS. Will the gentleman indicate how it will decrease the personnel?

Mr. WILLIAMSON. Any effective reorganization and elimination of duplication of services will reduce personnel.

Mr. O'CONNOR of Louisiana. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. O'CONNOR of Louisiana. Many bills have been introduced and referred to the Committee on Military Affairs. The purpose of those bills is to authorize the construction of soldiers' homes throughout the country. I have had the honor of introducing a bill for a home in my section of the country, because the people want a home on the theory that in the years to come it will be necessary, and we want to take time by the forelock. How does this bill take care of the construction of soldiers' homes in the country without any additional legislation?

Mr. WILLIAMSON. Ample legislation now exists for new construction. This is available to the new administrator.

There is no question but that there is a great need in the South for additional homes. Everybody recognizes that fact. I think the South will fare better under the new set-up than is likely if the present organizations continue to function as separate entities.

Mr. O'CONNOR of Louisiana. The gentleman will see the importance of my question to those who have introduced bills, and whose constituents want to come here and press the bill before the Committee on Military Affairs. If I and other Members are assured that when the bill is enacted into law no further or other legislation is necessary, it will give us much-needed information and relieve us from pressure right now.

Mr. WILLIAMSON. I think the Veterans' Bureau has ample power right now to establish hospital units in the South, if it wants to do it. There is no reason to suppose that the administrator will not avail himself of this authority and do justice by the ex-service men in your country.

Mr. O'CONNOR of Louisiana. I wanted to know what the new agency will have the power to do.

Mr. WILLIAMSON. It will have the same power as the three agencies have now.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. COCHRAN of Missouri. I think it would be beneficial and would expedite the consideration of the bill if the chairman of the committee will make it plain to the Members that this bill absolutely does not change existing law in any manner, shape, or form.

It simply provides for the consolidation and coordination of the Veterans' Bureau, the Pension Bureau, and the soldiers' homes, and does not go beyond that. It abolishes neither but brings them all under one head.

Mr. WILLIAMSON. The gentleman from Missouri is entirely right.

Mr. ARNOLD. Will the gentleman yield?

Mr. WILLIAMSON. I will.

Mr. ARNOLD. Paragraph (b), section 1, provides the duties of the administrator. I can not conceive of anything that will give one man in the Government more power and authority than this subsection gives to this man. Does the gentleman know of any other executive officer in any department of the Government that is given so much arbitrary power and authority as is given to the administrator in this case?

Mr. WILLIAMSON. I may say that practically every reorganization bill that Congress has so far enacted carries a similar provision. If you are not willing to trust the President to reorganize these units there is not much we can do. Congress itself can not make the reorganization. The set-up must necessarily be left to the President. It is for Congress to determine

what bureaus and activities are to be brought together. The details of reorganization must of necessity be left to Executive direction.

Mr. ARNOLD. But it seems to me by this section that we have given to this administrator the arbitrary power to abolish the Pension Bureau.

Mr. WILLIAMSON. We have not done anything of the kind. The section specifically says that he can only act in accordance with existing law. We are not changing the law, and he can not do anything that will destroy the functions of this bureau, if he complies with the law.

Mr. ARNOLD. But he has the right to eliminate any of these activities.

Mr. WILLIAMSON. Yes; but only the administrative bureaus and not the statutory bureaus.

Mr. GASQUE. Will the gentleman please explain what he means by section 7 of the bill when it says that it shall be administered under the law now existing except as herein modified?

Mr. WILLIAMSON. Yes; but this bill does not modify the law except to the extent of making them amenable to one head. The gentleman knows that as well as any one on the committee.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. No; I must decline to yield until I can complete my statement on the bill.

Section 2 provides for an administrator of veterans' affairs to head up the new organization, into whose hands are concentrated the duties now imposed upon the National Home Board, the head of the Pension Bureau, and the Director of the Veterans' Bureau. It seemed to the committee that this was essential in order to bring about that unity of program and purpose which is essential to the most economic and efficient administration.

It is patently apparent that the administrator can not attend to all the details of the existing agencies, and it is expected that the Commissioner of Pensions, the Director of the Veterans' Bureau, and the president of the national home board will continue to function very much as at present but with complete coordination under the direction of the administrator. In place of three competitive units, each striving to enlarge its own program and secure the largest possible appropriation, we shall have one organization in which will be centered all relief matters having to do with our ex-soldiers and sailors.

Notwithstanding the fact that the office of a so-called coordinator was created during the last administration with a view to bringing these departments into a more harmonious whole, little has been accomplished in the way of actual coordination. The head of the National Home for Disabled Volunteer Soldiers has continued to go before the Military Affairs Committee with a complete program of his own with little reference to what the Veterans' Bureau was doing. The Veterans' Bureau has proceeded with its own hospitalization and domiciliary program without paying much attention to what the national board was doing. This has resulted in uneconomical use of public funds both in construction and in the care of veterans. Your committee believes that under a consolidated management very large sums of money can be saved annually without in any way curtailing the privileges and the administrative relief now rendered to the veterans of the various wars.

Section 3 transfers all property now standing in the name of the Board of Managers of the National Home for Disabled Volunteer Soldiers to the United States. This board was originally created for reasons largely political in character and due in large part to the hostility of the Congress creating it to the then President of the United States. It has been an anomaly all through these years in that it was not subject to Executive direction or control, notwithstanding the fact that money for the support of the home has been appropriated by Congress ever since it was founded. The property has at all times in reality belonged to the United States and the board has served in the capacity of trustee. This being the situation, Congress has ample authority to transfer the title from the Board of Managers to the United States directly, and this is what the section does.

Section 4 provides for taking over the personnel of the National Home for Disabled Volunteer Soldiers and placing them in the new administration subject to such change in designation and organization as the administrator of veterans' affairs shall deem necessary. Provision is also made for covering them into the civil service if the President should think this advisable. Whether so covered in or not, their salaries would be determined and fixed under the general classification act of 1923. It is not believed that it will be necessary to dis-

charge any of the employees in the existing activities. It is expected that there will be some reduction in personnel, but this can easily be accomplished in connection with the normal turnover without in any way jeopardizing the employment of those desiring to remain in the service.

Section 5 provides for the dissolution of the corporation known as the National Home for Disabled Volunteer Soldiers and discontinues the Board of Managers when the President shall have completed the consolidation, and so declared by proclamation or order. It also provides for maintaining intact all existing contracts and obligations assumed by the Board of Managers, and makes provision for enforcing such contracts or claims in the Federal courts, should this become necessary.

Section 6 contains the usual provisions carried in consolidation bills with respect to appropriations, rules and regulations, and reports. Appropriations for the various activities consolidated will be made available as though appropriated for the administration of veterans' affairs in the first instance. All existing rules and regulations will continue in force until modified or repealed by the new administrator. The administrator is also required to make annual reports to Congress showing the progress made in coordinating and reorganizing the activities brought in under his administration. He is also required to make a fiscal statement to the Congress showing all receipts and disbursements.

Section 7 is a covering section providing that all existing laws, so far as applicable, relating to the Bureau of Pensions, the National Home for Disabled Volunteer Soldiers, and the Veterans' Bureau, shall remain in full force and effect, except as modified in the bill, and shall be administered by the new head of veterans' affairs.

As already stated, the form and character of relief extended to veterans is in nowise altered by the consolidation. In fact, there is no change whatever in substantive law except so far as it is absolutely essential to bring the three existing activities into the new administration of veterans' affairs. All laws relating to pension, disability compensation, hospitalization, and home care for veterans remain intact. No soldier or sailor need fear that his rights are in any way jeopardized or curtailed. On the contrary, the new set-up should result in improving his situation with respect to the relief extended by the Government.

It would be interesting, if we had the time, to go into a detailed analysis of the many laws for the relief of veterans which have been enacted since the foundation of the Government, but time will not permit. It is perhaps sufficient to say that no government on earth has ever dealt with its veterans upon the broad and generous scale that has been practiced by this country. In this connection I shall append a short table showing the amount disbursed for veterans' relief from the foundation of the Government in 1789 to and including June 30, 1929:

Table showing disbursements for veterans' relief

War:	Amount
War of the Revolution.....	\$70,000,000.00
War of 1812.....	48,188,626.06
Indian wars.....	39,922,373.14
War with Mexico.....	59,073,120.76
Civil War.....	7,244,677,080.57
War with Spain.....	386,748,031.08
World War.....	252,312.75
Total paid to pensioners.....	7,846,861,544.36
Disbursed by Veterans' Bureau, etc., for direct benefits to World War veterans.....	3,590,528,893.05
Grand total.....	11,437,390,437.41

During that time there has been expended for pensions alone the stupendous sum of \$7,846,861,544.36. Since the World War there has been expended, up to June 30, 1929, for the veterans of that war the sum of \$3,590,528,893.05, making a grand total of \$11,437,390,437.41 for various forms of veterans' relief. The amount listed as disbursements by the Veterans' Bureau does not include administrative expenses amounting to \$337,527,063.29 or the sum of \$881,062,586.52 disbursed from premium receipts and allotments deducted from service men's pay. The total appropriation for the Veterans' Bureau alone up until June 30, 1929, including that for vocational training, term insurance, mileage and maintenance compensation, family allowance, medical and hospital services, hospital facilities and services, adjusted-service certificate fund, adjusted-service and dependent pay, administrative expenses, exclusive of hospitalization, care and treatment, and miscellaneous amounts to \$4,577,096,351.99. It has been estimated by those most competent to compile such figures that by June 30, 1940, we will have appropriated for the various kinds of relief for the veterans of the late war the unbelievable sum of \$11,028,331,351.99.

I am bringing these figures to your attention for the purpose of showing the imperative necessity of bringing together under

one head of all veterans' relief, in order that the President, the Budget, the Congress, and the country may have a complete picture before them of the entire problem and the tremendous drain upon the Public Treasury. It is imperative that while rendering the necessary relief we should take every possible step that will tend to reduce overhead, utilize existing facilities to the maximum, and bring into the entire organization the highest possible state of efficiency.

Your committee, after having made a careful study of the whole problem for months, are very definitely of the opinion that this can not be done without a very much closer organization than exists at the present time. Three separate activities, duplicating each others' work in many respects and failing to use existing facilities to the maximum, can not possibly function at as low a cost as if these units are properly unified and coordinated under one directing head responsible to the President.

Time will not permit my going into a detailed discussion of the tremendous growth of the Veterans' Bureau since its organization and the rapid increase in expenditures, but I shall insert at this point a statement which has been prepared at my request by the Director of the Veterans' Bureau:

With regard to the development of the United States Veterans' Bureau, its growth, etc., you are advised that when first established it was responsible for the administration and enforcement of the laws relating to compensation, insurance, rehabilitation, and the medical care and treatment of World War veterans. The end of the fiscal year 1928 witnessed the cessation of rehabilitation activities authorized by the act of June 27, 1918. Since its establishment there has been added to its responsibilities the administration of the World War adjusted compensation act and the emergency officers' retirement act.

The appropriations made for World War veterans' relief for the fiscal year 1922 totaled \$406,943,038.15, of which amount \$178,714,182 was for vocational rehabilitation, as compared with appropriations totaling \$527,325,000 for the fiscal year 1930. On August 9, 1921, disability compensation was being paid to 157,270, and death compensation to the dependents of 47,930 veterans. The disbursements for these purposes for the month of August, 1921, were \$9,554,089.27 and \$1,439,861.44, respectively. On December 31, 1929, the active awards for disability compensation had increased to 269,621, and the active death awards to 89,285, while disbursements for these purposes during December, 1929, were \$13,377,112.55 and \$2,618,528.33, respectively.

For comparative purposes, there are shown below the patients in all hospitals on August 11, 1921, and February 28, 1930, distributed by branch of service administering the hospitalization.

Branch of service	Aug. 11, 1921	Feb. 28, 1930
Veterans' Bureau.....		20,930
Public Health Service.....	13,342	635
U. S. Army.....	1,294	2,113
U. S. Navy.....	541	3,160
Soldiers' Homes.....	2,312	1,717
St. Elizabeths.....	811	348
Contract institutions.....	9,430	2,013
Total.....	27,700	30,916

A study of the character of facilities available in hospitals under the immediate jurisdiction of the Veterans' Bureau a short time after its establishment as compared with the present indicates the progress made in providing permanent facilities.

On June 30, 1922, but 59 per cent of the beds in veterans' hospitals were classed as permanent, as compared with over 96 per cent to-day. Coincident with the development of modern government facilities since 1922 has been the decreased use of contract, civil, and State institutions. On June 30, 1922, over 32 per cent of the total hospital load of the bureau was in contract hospitals, as compared with slightly over 6 per cent at present.

Beginning with the act of March 3, 1919, the first legislation appropriating funds for the acquisition of hospital facilities for World War veterans, the Congress has to date authorized to be appropriated the sum of \$92,450,000 for such purpose, of which amount \$82,500,000 has actually been appropriated.

The claims for benefits under the World War adjusted compensation act that had been adjudicated to February 28, 1930, totaled 3,669,557 and were valued at \$3,578,023,288.53.

On December 31, 1929, there had been retired with pay 5,551 officers under the provisions of the emergency officers' retirement act of May 24, 1928. The disbursements for this purpose during December, 1929, totaled \$956,404.75.

I shall also insert at this point a table showing the total number of veterans on the rolls of the National Home for Disabled Volunteer Soldiers, classified by wars as of August 31, 1929.

Total veterans on the rolls of the soldiers' homes, classified by wars, as of August 31, 1929

Branch	Civil War	Spanish War	World War	Total	Per cent of World War veterans
Central.....	399	1,474	1,998	3,871	51.61
Northwestern.....	207	640	1,362	2,209	61.65
Eastern.....	117	487	535	1,139	46.97
Southern.....	200	1,084	880	2,164	40.67
Western.....	464	996	1,254	2,714	46.21
Pacific.....	759	1,810	1,820	4,389	41.47
Marion.....	2	68	1,002	1,072	93.47
Danville.....	287	1,116	1,063	2,466	43.11
Mountain Branch.....	65	667	1,340	2,072	64.67
Battle Mountain Sanatorium.....	89	271	461	821	56.15
Bath.....	100	253	271	624	43.43
Total.....	2,689	8,866	11,086	23,541	50.92

This table shows, among other things, that upon that date over one-half of the inmates of all the branches of the national home were veterans of the late World War. Within a comparatively few years the proportion of the World War veterans in these homes will have mounted to at least 75 to 80 per cent.

Mr. GARBER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mr. GARBER of Oklahoma. The gentleman has made a thorough study of this whole question, and, as I understand his exposition of the bill, it is simply a question of reorganization. It does not affect the personnel in the several departments to any extent, does it?

Mr. WILLIAMSON. No.

Mr. GARBER of Oklahoma. But it creates an administrator over all.

Mr. WILLIAMSON. That is so.

Mr. GARBER of Oklahoma. The object, as I understand it, in addition to a more uniform administration, is to secure economies in the administration. Will the gentleman point out the economies that will ensue? Those figures must have been put in the hearings. What economies does the gentleman expect to result from this organization?

Mr. WILLIAMSON. If I were to attempt to outline all of the economies I think would be effected, I would stand here for another two hours. I am not going to undertake to outline the economies in detail.

Mr. GARBER of Oklahoma. Oh, not in detail.

Mr. WILLIAMSON. I will come to that a little later, if the gentleman will permit me to proceed.

To continue the present system of having three separate agencies dealing with the relief problem of veterans of the World War seems to me a manifest absurdity. At present the Veterans' Bureau and the National Home for Disabled Volunteer Soldiers are dealing with essentially the same problem, namely, the hospitalization and domiciliary care of veterans, 75 to 80 per cent of whom are veterans of the late war. Likewise, two agencies, the Veterans' Bureau and the Pension Bureau, deal with compensation and pension. Seventy per cent of the compensations have become fixed, and are to all intents and purposes service pensions. In my judgment, these could be more advantageously and economically handled in the Pension Bureau, which under the new set-up will be retained. This bureau has developed very high efficiency, and with a very small increase in personnel could easily handle this class of compensation cases with a small additional expense to the Government.

There is also great inequality in the kind and character of relief and great disparity in the amount of pension and compensation extended to the veterans of the different wars. As these veterans are more and more thrown together in the hospitals and homes throughout the country and have opportunity to make comparisons, dissatisfaction and complaints increase.

A short time ago the House passed a resolution providing for a joint committee to make a study of all existing veterans' legislation with a view to equalizing benefits, eliminating duplication, and working out a more satisfactory and uniform method of veterans' relief. This problem can be much more easily worked out if we bring all the activities involved under one head.

Dual control of hospitalization and domiciliary care has resulted in improper distribution of veterans' hospitals and homes, causing much unnecessary expense for transportation of inmates. In place of building additional homes to take care of the domiciliary cases, a great deal could be saved by building domiciliary additions to existing veterans' hospitals and adding, where necessary, additional hospital units to existing branches of the national home.

There are at the present time approximately 1,000 patients in veterans' hospitals suffering from mental or nervous disabilities who are no longer in need of hospital treatment. By transferring these to national homes or domiciliary barracks a saving in new hospital construction amounting to approximately \$3,500,000 could be effected. Their transfer to domiciliary barracks would also result in a saving of \$697,000 in maintenance charges due to the very much lower cost per capita in care for domiciliary patients. It has also been estimated that a total saving of approximately \$9,000,000 can be realized by adding domiciliary barracks to veterans' hospitals in place of building new units as would become necessary should a separate organization be maintained to care for the domiciliary cases. It is also believed that a very substantial sum can be saved annually in administrative and other incidental expenses. General Hines has estimated this saving at \$1,500,000.

For the information of the House, I am inserting at this point statements showing the break-up of the dollar in the National Home for Disabled Volunteer Soldiers and a similar table showing the proportion of each dollar expended for the various activities in the Veterans' Bureau.

Statement of operations and analysis of expenditures, National Home for Disabled Volunteer Soldiers, fiscal year 1929, compared with 1928

	1929	1928
Average number of members present.....	16,942	15,194
Net expenditures, support of home.....	\$8,794,854.14	\$8,114,856.87
Average per capita cost.....	\$519.12	\$534.08

ANALYSIS OF EACH DOLLAR EXPENDED

General headquarters: Expenses of Board of Managers, including salaries of officers and employees headquarters office, traveling expenses of the board, office furniture, stationery, telegraph, and telephone service, etc.....	\$0.0066	\$0.007
Current expenses: Salaries of all officers and employees engaged in connection with the management of the branch, including supervision, statistics, purchase of supplies, payment of pensions, accounting, inspection and care of supplies and other property, guards, watchmen, band; and expenditures for office supplies, equipment, stationery, telephone, telegraph, supplies and appliances for fire protection, musical instruments, music, books, library equipment, etc.....	.0853	.081
Subsistence: All expenditures for food supplies, for kitchen and dining-room equipment, and for wages of all employees engaged in connection with the preparation and serving of meals.....	.3583	.390
Household: All expenditures for coal, gas, water, laundry supplies, equipment, beds, bedding, and other furniture and household supplies for barracks and quarters, and salaries of all employees engaged in connection with the heating, lighting, water system, laundry, and dry-cleaning plant.....	.1510	.158
Hospital: Salaries of assistant surgeons, trained nurses, and all other employees engaged in the care of the sick; expenditures for drugs, special diet, hospital equipment, caskets, and other hospital supplies.....	.2750	.268
Transportation: Pay of transportation of applicants reporting, members transferred, etc.....	.0007	.001
Repairs: All expenditures for lumber, paints, oils, boilers, machinery, parts, and the general upkeep of buildings and equipment, and salaries of chief engineer and all employees engaged in the maintenance and repair of buildings, steam lines, water lines, etc.....	.0703	.069
Farm: Salaries of all employees engaged in connection with farming operations, dairy, vegetable garden, repair of roads, park system, cemetery, etc., expenditures for all supplies, tools, and equipment used in connection therewith.....	.0270	.031
Clothing: All expenditures for the purchase of cloth, shoes, hats, and all other articles and materials used in the fabrication and repair of clothing, and salaries of all officers and employees engaged in the manufacture, distribution, and repair of all articles of clothing.....	.0258	.025
Total.....	1.0000	1.000

Statement of operations and analysis of expenditures, United States veterans' hospitals (prepared for comparative purposes with similar statement of National Home for Disabled Volunteer Soldiers), fiscal year 1929, compared with 1928

ANALYSIS OF EACH DOLLAR EXPENDED

	1929	1928
General headquarters: Expenses of central office business management subdivision, medical service hospital field supervisors, including salaries and traveling expenses.....	\$0.002	\$0.003
Current expenses: Salaries of all officers and employees engaged in connection with the management of the hospitals, including supervisors, statistics, purchase of supplies, accounting, disbursing, inspection, and care of supplies and other property, guards, fire fighters, watchmen, and expenditures for office supplies, equipment, stationery, telephone, telegraph, motor-vehicle supplies and parts, library supplies, etc.....	.092	.089

Statement of operations and analysis of expenditures, etc.—Continued
ANALYSIS OF EACH DOLLAR EXPENDED—continued

	1929	1928
Subsistence: All expenditures for food supplies (patients, employees, and guests), kitchen and dining-room equipment, wages of all employees engaged in connection with the preparation and serving of meals, and all cooking expenses.....	\$0.318	\$0.316
Household: All expenditures for coal, gas, and water (except that used in the dietetics department), laundry supplies, replacement parts and equipment, miscellaneous equipment, and salaries of all employees engaged in connection with the heating, lighting, water system, and laundry.....	.093	.091
Hospital: Salaries of surgeons, physicians, dentists, nurses, O. T. and P. T. aides, laboratorians, technicians, orderlies, and other employees engaged in the care of the sick; expenditures for drugs, dental, laboratory, physiotherapy, occupational therapy supplies and equipment, hospital equipment, burial expenses, and all expenses of the out-patient clinic.....	.409	.416
Transportation: Railroad fares, Pullman, and all incidental expenses of patients and attendants to patients discharged, transferred, or furloughed.....	.011	.010
Repairs: All expenses for lumber, paint, oils, machinery, and boiler parts, and the general upkeep of buildings and equipment, and salaries of chief engineer, electrician, plumber, carpenter, radio operator, and all other employees engaged in the maintenance, care, and repair of buildings, steam line, water lines, etc.....	.060	.060
Farms: Salaries of all employees engaged in connection with farming operations, dairy, poultry, swine, farm and truck garden, care of livestock, and expenditures for agricultural supplies, tools, equipment, and livestock.....	.012	.013
Clothing: All expenditures for patients' clothing purchased under the provisions of General Order No. 348-B.....	.003	.002
Total.....	1.000	1.000

Mrs. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mrs. ROGERS. Does the gentleman know how many beds will be released for domiciliary care if this plan goes into effect?

Mr. WILLIAMSON. There will be no beds released for domiciliary care, but at least 1,000 beds in hospitals will be released by a transfer of patients to domiciliary barracks.

Mrs. ROGERS. All of the domiciliary barracks are now filled?

Mr. WILLIAMSON. There are about 600 beds vacant at the present time.

Mr. GARBOR of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. GARBOR of Oklahoma. Does this bill require the administrator to make any reports of his administration to Congress?

Mr. WILLIAMSON. This bill requires the administrator to make a report annually showing the progress made in reorganization and a complete financial statement as to receipts and disbursements of every nature to the Congress.

Unified management will enable the President to keep in much closer touch by reason of the concentration of administrative control in one man who will be familiar with the entire situation. The administrator would be in position to visualize the whole problem of veterans' relief and give proper weight to the various needs and services. He would be in a much more advantageous position to submit proper and well-balanced estimates to the Bureau of the Budget and to justify them to Congress than the heads of the present agencies. Legislative committees, in place of being compelled to deal with three separate agencies, would contact with only one representative head who would have no reason to emphasize the importance of one phase of the work as against another. Competitive bids by various agencies for large appropriations would cease. Both the Congress and the country would be in position to visualize the whole problem. The result would be a much better considered and a better balanced legislative program. Available funds could be utilized to better advantage and along the lines where they would prove of the greatest service to those intended to be benefited.

Veterans' relief, as already indicated, is reaching staggering proportions. Already it has climbed to approximately \$780,000,000 annually, distributed between the Veterans' Bureau, the National Home for Disabled Volunteer Soldiers, and the Pension Bureau. This is about 33 per cent of all income taxes collected by the Government annually.

It is essential that the President, the Budget, and the Congress should have these activities brought in under one agency, so as to be able to visualize the whole picture. By placing them under one directing head, overlapping and duplication can be

wiped out; inequalities of care, treatment, pensions, and compensation will more readily lend themselves to adjustment; a proper distribution of beneficiaries can be effected, with consequent great economies, and large sums can be saved in construction costs.

Finally, the new establishment will afford a suitable foundation upon which a humanized superstructure of legislation can be erected, based upon a thorough revision of existing laws dealing with veterans, and the creation of a simplified code that will iron out present inequalities and place all veterans of similar age and suffering similar disabilities upon approximately the same plane with respect to the relief extended, whether it be hospitalization, domiciliary care, pension, or compensation.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mr. BRIGGS. Does the gentleman think that the creation of this new organization or bureau, combining the activities of the units mentioned, is going to introduce more complexities in the efforts of soldiers to get relief or will it lessen those complexities?

Mr. WILLIAMSON. In my judgment it should greatly simplify procedure in the end.

Mr. BRIGGS. Does the gentleman not think that to-day the Veterans' Bureau has been made one of the most complex organizations for obtaining relief that has probably ever existed in the annals of any government?

Mr. WILLIAMSON. Our committee started out with that idea; but I think a more complete study has developed several phases which it is important this House should know. The Veterans' Bureau is operating under the most complex set of laws ever enacted by any government for veterans' relief. In many cases the veterans can appeal indefinitely. You have cases in the Veterans' Bureau that are 3 feet thick, and the reason is not because of bad administration, but because of complicated laws under which the bureau is operating. No decision becomes final.

Mr. BRIGGS. Do you not think that the power of the Veterans' Bureau to review these cases under laws and regulations, adopted without number, whereby it summons veterans in every three or six months for reexamination, and then possibly increasing but more often reducing the percentage of compensation for disabilities allowed them before, has served to make this the most complex bureau that has ever been created under the Government.

Mr. WILLIAMSON. The veterans have to go before the local board in the first place. From this they can appeal interminably. In the Pension Bureau, when a claim is once adjudicated that is the end of it. But under the existing law all veterans of the World War, if not satisfied, can begin all over again and go through the Veterans' Bureau any number of times, and the bureau can not stop them.

Mr. BRIGGS. It is operated so that men from all over the United States are constantly having their compensation discontinued or denied, and then compelled to travel here and there to get the compensation granted or restored, with the result that Members of Congress have a tremendous amount of labor to perform on the same cases over and over again.

Mr. WILLIAMSON. That is what I say. I think this would tend to stop it.

Mr. BRIGGS. Do you think this will add one more obstacle in the way of relief, or do you think it will lessen the present number of obstacles?

Mr. WILLIAMSON. My idea is that it will result in the final revamping of all veterans' legislation. That will give us a simplified code and a simplified procedure and should rid us of these complexities.

Mr. BRIGGS. You mean that back of this reorganization now will come a recommendation by the administration for a change of the law, and that this is just a preliminary step to that end?

Mr. WILLIAMSON. Yes; I believe that this is just a preliminary step to that end.

Mr. BRIGGS. And your thought, or the committee's thought, is that this measure will operate to give the men better results and more justice than they are now receiving?

Mr. WILLIAMSON. Yes; and with the same amount of expenditure.

The CHAIRMAN. The time allowed by the gentleman to himself has again expired.

Mr. WILLIAMSON. I will yield to myself two additional minutes.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mr. GREEN. It seems to me the worst trouble with the Veterans' Bureau is this: That the local units are not given final jurisdiction. In the administration of the Pension Office

the settlement is final when it is once made. In the case of the Civil War veteran the applicant can go first to a local examining board and then his case is forwarded to Washington, where his claim is settled. I think the local agency should alone be given final jurisdiction in the matter.

Mr. WILLIAMSON. That is a matter that only Congress can decide.

Mr. GREEN. If we can put the veterans' legislation through, if by this legislation or by subsequent legislation we can put it all under the Bureau of Pensions and have a man like the present Pension Commissioner, Mr. Church, at the head of it, you would have the whole thing wound up neatly like a spool.

Mr. WILLIAMSON. Now, I can not yield further.

Mrs. ROGERS. Mr. Chairman, will the gentleman yield for a question?

Mr. WILLIAMSON. Yes.

Mrs. ROGERS. I just want to bring out one point. I understand that if the men are not satisfied with the examination they receive, they can appeal to the principal bureau and have the examination made by another board, so that they can always go working on their claim for pension.

Mr. WILLIAMSON. When a claim is once settled the decision of the Secretary of the Interior is final, and if they wish to proceed further they have to begin all over again.

Mrs. ROGERS. They would have to apply again?

Mr. WILLIAMSON. Yes.

Mr. GASQUE. Mr. Chairman, I yield to myself 20 minutes.

The CHAIRMAN. The gentleman from South Carolina is recognized for 20 minutes.

Mr. GASQUE. Mr. Chairman and members of the committee, I do not want to take up much of your time, but I do want to call to your attention the fact that you are asked to pass upon one of the most far-reaching pieces of legislation that has come before this House since I have been a Member of it. You are asked to abolish the Pension Bureau, practically, an institution which has been in the service of the Government, taking care of the veterans, for over 100 years. It has operated, so far as I know, to the satisfaction of all the people of the United States. You are asked to abolish the Veterans' Bureau, the Soldiers' Home Board, and place all of the functions and powers of these under one man.

This legislation as you know is the outcome of a recommendation by the President and a commission which was appointed by him to study just what kind of legislation should be passed for the relieving of the overlapping agencies in the various bureaus and departments dealing with veterans' activities. I want to read to you what the report of that commission was. I hope the Members will listen. This commission was composed of Hon. Ray Lyman Wilbur, Secretary of the Interior, chairman; Frank T. Hines, now Director of the Veterans Bureau, a member; George H. Wood, of the Old Soldiers' Home Board, a member; Walter H. Newton, member, secretary to the President; and Mr. C. B. Hodges, secretary. And here is what they have to say, after extended hearings and investigation. I want to take the time to read to you that report, so that it will go into the RECORD. I read:

COMMITTEE ON COORDINATION OF VETERANS' MATTERS,
Washington, October 1, 1929.

To the PRESIDENT:

1. The committee appointed by the President on May 23, 1929, submits the following preliminary report.

2. The attached exhibits give detailed information concerning committee meetings, organization of subcommittees and their investigations, and other matters having a bearing on the subjects assigned to the committee.

3. The committee recommends:

(a) That the President should be given by Congress the power to bring under a common head all forces of the Government for veterans' relief, so as to obtain better coordination and so that a uniform program can be developed for the future. (If the President should so desire, the committee will submit the draft of a bill to bring this about.) No effort to bring existing legislation into a uniform program is recommended.

(b) That the President take immediate steps for coordination as follows:

(1) Create a central coordination committee composed of representatives from the Pension Bureau, National Home for Disabled Volunteer Soldiers, and the Veterans' Bureau to meet at periodic times in Washington.

They do not say anything about consolidation, but do recommend coordination; and that is what a large number of the committee and practically every man, with very few exceptions, who appeared before our committee, was in favor of; a coordination of these activities, not a consolidation.

Mr. SCHAFFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. GASQUE. I will yield later, after I finish reading this report.

You will observe that it recommends the creation of a central coordination committee, composed of representatives from the Pension Bureau, the National Home for Disabled Volunteer Soldiers, and the Veterans' Bureau, to meet at periodic times in Washington. Then it states what its function should be. Let us see what these functions should be. I read:

Its functions should be to continue on a permanent basis the conferences initiated by this committee as a clearing house for data promoting avoidance of overlaps, joint utilization of medical and hospital facilities, interchange of up-to-date statistics on facilities available, avoidance of unnecessary transportation—

And so forth.

Mr. GARNER of Oklahoma. Will the gentleman inform us from what page he is reading?

Mr. GASQUE. This is on page 62 of the hearings, in Mr. Wilbur's statement.

(2) Create district coordination committees, similar to the central committee, but functioning at strategic field points.

Their local duties should be similar to those of the central committee.

They should be charged with the responsibility for furnishing current data to the central committee upon facilities available and possibilities of coordination. Effective teamwork must be secured by practical and informal cooperation in the field before it can be effected by formal direction from Washington.

What does this bill propose? It proposes to direct what shall be done, or to give one man the power to direct what shall be done.

The President's committee was absolutely opposed to that, as will be seen from this report.

(c) That this committee be continued in existence to make a further study of the results achieved by the above-mentioned coordination committees within a trial period, say of one year, and, if so desired by the President, to make further recommendation concerning the manner of bringing existing agencies for veterans' relief under a common head.

4. The committee invites particular attention to the opinions expressed in the committee meetings to the effect that all further legislation or other measures for the relief of veterans should be based on need.

Mr. Chairman, as a member of the committee, and having attended practically all of the hearings, I am convinced that the recommendation of this commission appointed by the President is as far as the House should go. We know that there is overlapping in the administration of the veterans' affairs. We know that coordination is needed, and it should be brought about. But, gentlemen of the committee, I want to say that to pass this bill in which a new and powerful bureau is created, the most powerful bureau that has ever been created by act of Congress, is going too far at one time. We are going too far and we are giving one man too much power.

This bill, which is very adroitly drawn, appears harmless, but if you read it carefully and thoughtfully you will see that you are practically giving this administrator of veterans affairs the right to abolish the Pension Bureau, the Veterans' Bureau, and the Old Soldiers' Home Board.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. GASQUE. I yield for a question.

Mr. WILLIAMSON. The gentleman knows, however, that Secretary Wilbur advocated ultimate consolidation.

Mr. GASQUE. I wish to say right there, sir, that I am in favor of ultimate consolidation, but I do not believe in doing it by one stroke of the pen. I do not think there is a Member of this House who does not think that there should be ultimate consolidation, but it should not be done in the way that is provided here. Secretary Wilbur said:

I favor ultimate consolidation of these agencies, but this bill is going too far and too fast. It will cause revolution—

And so forth.

That is exactly what he said about it.

Subdivision (b) of section 1 of this bill reads:

Under the direction of the President the administrator of veterans' affairs will have the power, by order or regulation, to consolidate, eliminate, or redistribute the functions of the bureaus, agencies, offices, or activities of the administration of veterans' affairs and to create new ones therein, and, by rules and regulations, shall fix the functions thereof and the duties and powers of their respective executive heads.

I understood the distinguished chairman a few moments ago to say that this bill did not abolish the head of the Pension

Bureau or the Veterans' Bureau. But let us see about it. Section 2, lines 21 to 25, inclusive, of this bill reads:

Upon the establishment of such administrator of veterans' affairs all the functions, powers, and duties now conferred by law upon the Commissioner of Pensions, the Board of Managers of the National Home for Disabled Volunteer Soldiers, and the Director of the United States Veterans' Bureau are hereby conferred upon and vested in the administrator of veterans' affairs.

Does that abolish the position that Mr. Hines now occupies? Does that abolish the position that Mr. Church occupies? If all the powers and functions are taken away from him, I do not know what they would want with the jobs unless to just sit there and draw the salary.

Mr. Chairman and Members of the House, I shall be glad to support a bill that has for its end the ultimate consolidation of veterans' activities, and I feel that it is very necessary that Congress should at this time pass a bill to that effect, but I shall oppose any such drastic legislation as the present bill, which will abolish the Pension Bureau, one of our oldest established institutions, or which will abolish the Veterans' Bureau, or which will abolish the Old Soldiers' Home Board without giving them any voice in it.

The first bill that came before us for consideration, and the bill upon which the hearings were held, was a bill identical with the present bill, except it provided that all these activities be placed under the Veterans' Bureau. It was a much better bill than the present bill, in my opinion, because in that case we knew to whom we were giving this superpower. But the creation of a czar who will have full power over the expenditure of \$800,000,000, without knowing to whom we are giving that power, is not proper, in my opinion, and I shall oppose the giving of any such unlimited power to one man. At the proper time I shall offer some amendments to this bill, which I am sure all the Members can support. I feel sure that if the members of the committee will read the full hearings that were held by the Committee on Expenditures in Executive Departments, they will think a long time before supporting this bill.

Mr. GREEN. Will the gentleman yield?

Mr. GASQUE. I yield.

Mr. GREEN. I trust the gentleman from South Carolina will be able to incorporate such amendments as will protect the Pension Bureau. I find that the service obtained under the efficient administration of Commissioner Church is not comparable with the Veterans' Bureau. In 24 hours adverse or favorable action, as the merits warrant, can be secured on a claim in the Pension Bureau. It seems to me that in the ultimate consolidation of all veterans' affairs it would be better to consolidate them under the old, tried, and established Pension Bureau, where there is workable efficiency. War veterans of all wars can get attention without red tape.

Mr. GASQUE. I will say to my colleague that I am in favor of keeping the various activities just as they are, with a director of veterans' affairs, who shall be appointed by the President, for the purpose of studying where the overlapping activities can be eliminated, and which will ultimately bring about just what this bill proposes by one stroke of the pen to do.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. GASQUE. I yield.

Mr. WILLIAMSON. The gentleman from South Carolina made a statement a moment ago which I hardly think he intends to be taken literally. The gentleman does not contend that this bill abolishes the Pension Bureau, does he?

Mr. GASQUE. Mr. Chairman, it abolishes all the duties of the head of the Pension Bureau. I do not think I said it abolished the Pension Bureau. I said it abolished the head of the Pension Bureau, the position occupied by Mr. Church. It abolishes the position of Director of the Veterans' Bureau and it abolishes the Soldiers' Home Board or gives the power to do this to the newly created office.

Mr. WILLIAMSON. The bill does not abolish the head of the Pension Bureau. The law establishes the Pension Bureau and defines its functions. There is not one word of the law establishing the Pension Bureau repealed. The Commissioner of Pensions will continue the same as now, because the position is not being abolished.

Mr. GASQUE. But section 7 of this bill provides:

That all laws relating to the Bureau of Pensions, the National Home for Disabled Volunteer Soldiers, and the United States Veterans' Bureau, and other governmental bureaus, agencies, offices, and activities herein authorized and directed to be consolidated, so far as the same are applicable, shall remain in full force and effect, except as herein modified.

I contend that subparagraph (b) of section 1 modifies them very extensively. At the bottom of page 2, in section 2, there is another extensive modification.

Mr. WILLIAMSON. I entertain a very high regard for the opinion of the ranking Democratic member [Mr. GASQUE], but, in all fairness, subdivision (a) of section 1 simply provides that only such bureaus and activities as are not created by law can be abolished, consolidated, or redistributed. In other words, it only relates to administrative bureaus. The Pension Bureau is established by law and its functions are defined. That can not be tampered with, because it would be inconsistent with the law to do so. The purpose of this bill is simply to transfer the duties now devolving upon the Commissioner of Pensions to the new administrator so that he can properly coordinate the activities. The Commissioner of Pensions will undoubtedly continue to function much as at present, but under the direction of the administrator.

Mr. GASQUE. Except such as are modified by this bill.

Mr. WILLIAMSON. The Commissioner of Pensions will decide pension cases just as he does now.

Mr. MONTET. Will the gentleman yield?

Mr. GASQUE. I yield.

Mr. MONTET. If the authority conferred by this bill is only that stated by the chairman of the committee, would not that coordination be in keeping with the views of the gentleman from South Carolina?

Mr. GASQUE. I am not going altogether by the statement of the chairman of the committee, because his construction of what the bill provides and my views are not in accord, but by the bill.

Mr. MONTET. But if the bill did not go any further than is stated by the chairman of the committee, it would be only for coordination and not consolidation?

Mr. GASQUE. That is correct, and if that be true, why not strike out the word "consolidation" and all other language in the bill pertaining to consolidation and provide only for coordination? If that is done, I will support the bill.

Mr. O'CONNOR of Louisiana. Does not my colleague think it would improve the bill considerably and effectuate the purpose of more largely serving the interests of the soldiers if some provision were inserted in the bill which would affirmatively set forth the right of this new agency to construct new soldiers' homes without any additional legislation on the subject being necessary, so as to take care of the needs of the soldiers in their advancing years?

Mr. GASQUE. I think that ought to be done.

Mr. GREEN. I would like to suggest that I think that is very important. We have recently appropriated \$14,000,000, and right now it takes two or three weeks and even two months for me to get an almost-dying veteran hospitalized.

Mr. PEAHEY. Will the gentleman yield?

Mr. GASQUE. Yes.

Mr. PEAHEY. The gentleman, as a member of the Pension Committee, is aware of the fact that several members of that committee, in fact, the committee as a whole, contemplate reporting to the House at an early date the bill known as the Swick bill for the relief of World War veterans. If this bill passes does the gentleman believe that committee would still be in favor of reporting that legislation?

Mr. GASQUE. As one member of that committee I would not be in favor of it and I do not believe a single member of that committee would be in favor of it if this bill were passed.

Mr. EVANS of California. Will the gentleman yield?

Mr. GASQUE. Yes.

Mr. EVANS of California. Did I understand the gentleman to state that this bill had been submitted to the Secretary of the Interior and that the Secretary had reported against it?

Mr. GASQUE. No. However, a bill very similar to this was submitted to him, and practically the same bill as this, the only difference in this bill and the one submitted to the Secretary of the Interior is that all of these activities shall be consolidated under the Veterans' Bureau, which I consider a whole lot better bill than this, because there we knew who was going to administer these affairs, while under this bill we do not know who it is going to be.

Mr. EVANS of California. But the Secretary of the Interior reported against that bill.

Mr. GASQUE. He was absolutely opposed to it, as the hearings show.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. GASQUE. Yes.

Mr. SCHAFER of Wisconsin. On what grounds would the gentleman vote against reporting out the Swick bill if this bill passes?

Mr. GASQUE. Because there would be no need for it.

Mr. SCHAFER of Wisconsin. In what respect?

Mr. GASQUE. There would be no need for it.

Mr. SCHAFER of Wisconsin. I do not believe that bill is pertinent to the consideration of this bill, and therefore the gentleman has no valid reason to back up his assertion.

Mr. GARBER of Oklahoma. Will the gentleman yield?

Mr. GASQUE. Yes.

Mr. GARBER of Oklahoma. The gentleman stated he intended to offer some perfecting amendments, which he indicated would improve the administrative features of this bill. I hope the gentleman has not in mind an amendment which would put the administration in the Veterans' Bureau.

Mr. GASQUE. I have not, sir.

Mr. GARBER of Oklahoma. Thus enmeshing and engulfing it into a maze and multiplicity of committees to pass the buck from one organization to the other and not accomplishing anything practical.

Mr. GASQUE. I will assure the gentleman I have no such intention.

Mr. GARBER of Oklahoma. With that assurance I am certainly in accord.

Mr. WILLIAMSON. Mr. Chairman, I yield five minutes to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Chairman, the matter of the administration of veterans' affairs, so far as World War veterans are concerned, has passed from committee to committee in this House, and has passed from bureau to bureau, so far as the executive departments are concerned. We have had the War Risk Bureau; we have had the Treasury in command; we have had so many boards that I shall not attempt to enumerate them, and legislation has been brought out of different committees of this House.

As a result of the difficulties that have arisen in administration—and they were very natural difficulties, because no one in the Government had any conception of the problems that we would have and no experience in handling them—we have finally brought out this bill, which originated with the committee of which I have the honor to be chairman, the Committee on World War Veterans' Legislation. I introduced the first bill along this line in 1924, prior to the formation of the committee that now has the matter in charge. The Veterans' Committee unanimously reported this measure several times with slight changes in phraseology. I have been studying the matter since that time and since the committee which now has the matter in charge was organized.

In 1924 I introduced the bill referred to by the distinguished gentleman from South Carolina, and the proposition before us now is the result of all that work.

I have become thoroughly convinced that this consolidation is necessary on the broad general theory that we must treat the veterans of all wars exactly alike and lay down a policy for the future of this country that will guarantee that all veterans will be treated alike.

So far as I am personally concerned, I would be perfectly willing to abolish the Veterans' Committee, create any other committee, or turn it over to the Pension Committee, because I do not think it makes much difference which group handles it so long as you consolidate it in one place and under one head.

Now, if this bill passes let no man think this problem is going to be solved in one year or five years. You will be operating on this consolidation 10 years from now, because any executive must move very slowly from the fact that he will have many organizations to put into one group. I know that the first step would be to pick out some man to head this organization as administrator, that these activities would continue to function as they are now functioning for some time, and that the process would be to gradually, slowly, and carefully take these organizations over piece by piece and bit by bit.

One of the great things, to my mind, will be that you will consolidate all the hospitals, save a great deal of money, and give all the men exactly the same sort of food and treatment.

As the years have gone by I have made many attacks upon the Boards of Managers of the Soldiers' Homes, not because I did not believe they were honest men, not because I did not believe they were doing the best they could, but the attacks were made on the system; and I expect to offer an amendment to this bill for the men whom I have previously, apparently, attacked, providing that the President may take the members of the Boards of Managers of the Soldiers' Homes and use them as an advisory body, because we certainly do not want to lose the experience and the training of any group of men when this problem is being worked out. I expect to offer an amendment that will authorize the President to retain their services for five years in a purely advisory capacity at the same rates of compensation which they now receive, and by that time, if any of them wish to continue in the service in the administration of veterans' affairs, which by that time will take \$1,000,000,000 a year, they will be able to fit into the picture and into the organi-

zation. In other words, we are not trying to abolish some one because we dislike him, we are trying to coordinate for the good of the Government service.

The CHAIRMAN (Mr. HANCOCK). The time of the gentleman from South Dakota has expired.

Mr. WILLIAMSON. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. JOHNSON of South Dakota. I think somewhat indicative of what our viewpoint should be is the study made by the great veterans' organizations of the United States who have all indorsed this legislation. Sometimes these organizations think they can run the Government of the United States—they can not do it—and sometimes they pass resolutions in their conventions that ought not to be enacted into law by Congress. I have opposed some of these resolutions in the past, and as long as I am a Member of this body I expect to oppose some of their resolutions; but when their executive committee have operated and indorsed legislation of this kind I think we should take into consideration the fact that such resolutions are carefully considered by competent men and do not represent the enthusiasm of a convention.

Mr. GASQUE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield, but I may have to get some time from the gentleman, because I only have a moment.

Mr. GASQUE. I understood the gentleman to say that all the veterans' organizations of the World War have indorsed this bill.

Mr. JOHNSON of South Dakota. As I understand it, the American Legion and its leaders and the Disabled American Veterans have indorsed this bill. The Veterans of the World War I am not certain about.

Mr. GASQUE. Does the gentleman refer to this particular bill?

Mr. JOHNSON of South Dakota. To the scheme of legislation for a consolidation.

Mr. GASQUE. This bill is quite different from that.

Mr. JOHNSON of South Dakota. I do not know that it was the same bill, but the substance and effect are the same, and in my judgment, after some familiarity with the subject, their indorsement would include indorsement of this proposed legislation so far as its substance is concerned.

Mr. PEAVEY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. PEAVEY. I would like to ask the gentleman whether, in his judgment, Congress could not well consider the recommendation of the President's committee and coordinate these departments instead of consolidating them?

Mr. JOHNSON of South Dakota. I will say to the gentleman there is no such thing as coordination of departments, and I do not think there will ever be such a thing. Some one has to be the boss in any organization, some one has to say which way the crowd shall go, whether it is a number of bureaus or an aggregation of regiments in a war. [Applause.]

Mr. GASQUE. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Chairman and members of the committee, after hearing the testimony of all concerned who cared to appear, together with my personal knowledge of the administration of the laws which govern the Veterans' Bureau, Pension Bureau, and National Homes for Disabled Volunteer Soldiers, I have come to the conclusion that it will not only be to the best interests of the Government but also the veterans for this bill to be enacted into law.

The committee, of which I am a member, heard the Director of the Veterans' Bureau, the Secretary of the Interior, the president of the Board of Managers of the Soldiers' Homes, as well as representatives of veterans' organization and others interested, and had the report of the committee appointed by the President to consider the consolidation of veterans' activities.

There existed in the minds of some of the witnesses, as well as some of the members of the committee, a fear that if the Pension Bureau was absorbed by the Veterans' Bureau the efficient service now rendered by the Pension Bureau would cease and veterans of the Civil, Indian, and Spanish wars would experience a great deal of delay in having their claims adjudicated. There was a demand to save the Pension Bureau.

Anyone who will read section 7 of the bill must come to the conclusion that the Pension Bureau is not to be abolished. The section reads as follows:

All laws relating to the Bureau of Pensions, the National Home for Disabled Volunteer Soldiers, and the United States Veterans' Bureau, and other governmental bureaus, agencies, offices, and activities herein authorized and directed to be consolidated, so far as the same are ap-

plicable, shall remain in full force and effect, except as herein modified, and shall be administered by the administrator of veterans' affairs, except that section 4835 of the Revised Statutes is hereby repealed.

The only law repealed is section 4835 of the Revised Statutes, which reads as follows:

All inmates of the National Home for Disabled Volunteer Soldiers shall be subject to the rules and articles of war, and in the same manner as if they were in the Army.

I am sure all will agree that the section quoted should be repealed.

Mr. Chairman, both political parties favor consolidation of Government agencies, as expressed in the platforms adopted by national conventions.

When an attempt has been made in the past to bring about consolidation the question of saving the personnel is always given preference over the question as to whether or not such a consolidation would be in the interest of efficiency and afford a reduction in expenditures. There was no exception to this rule when this bill was taken up. The proposed set-up will bring under one head, an administrator of veterans' affairs, 30,780 employees, 24,320 now in the Veterans' Bureau, 637 now in the Pension Bureau, and 5,823 now in the Soldiers' Home organization. The total appropriations for the three agencies for the fiscal year 1930, which ends July 1, was nearly \$800,000,000.

Yesterday the bill increasing pensions of Spanish War veterans passed, increasing the appropriation \$12,000,000, provided it is signed by the President. Next week the Johnson bill will be passed and it will add \$100,000,000 to the Veterans' Bureau budget while hearings are now being held by the Veterans' Committee in connection with requests for 26 additional hospitals to cost on an average of \$1,000,000 each. Then you have the bill under consideration by the Committee on Pensions granting pensions to World War veterans and their dependents which, according to the estimates, will cost \$60,000,000 the first year. Within a year or two you will have a budget for veterans' relief of all classes under the jurisdiction of the administrator of veterans' affairs in round numbers of \$1,000,000,000. There are a number of Members of the House to-day who were here in 1910 when the annual appropriations totaled \$1,000,000,000, the first billion-dollar Congress, as it was termed. Thus it will be seen that the amount now being appropriated for veterans' relief equals the total cost of conducting the Government in 1909.

It was suggested that the Pension Bureau should absorb the Veterans' Bureau and soldiers' homes and that a division should be created in the Department of the Interior with the Secretary having an assistant to administer veterans' relief.

I am unwilling to vote for any bill which does not provide that the sole duties of the official in charge be confined to handling the affairs of veterans. The Secretary of the Interior has sufficient work now to claim his attention without adding to his burdens the administration of laws carrying expenditures of a billion dollars annually, more by far than is appropriated for any other department of the Government.

With three separate agencies handling veterans' relief all interlocked, it is evident that in the interest of economy and efficiency it will be beneficial to consolidate the three into one agency where the administration of the laws will be under one roof and one head. There will be a separate division for the World War veterans, another for the activities now handled by the Pension Bureau, and a third to look after the soldiers' homes.

Considerable criticism was directed at the Veterans' Bureau due to the manner and delay in handling claims. In contrast to this witnesses pointed out the cost of handling claims in the two agencies and cited the length of time it took to adjudicate a case in the Pension Bureau in comparison to the time required by the Veterans' Bureau. They argued for Pension Bureau system in preference to that of the Veterans' Bureau.

In this connection it must be remembered that in most of the cases handled by the Pension Bureau it is unnecessary to show service connection for the disability, while under the veterans' act no compensation can be granted until the bureau has been satisfied that the disability is directly the result of the man's service or that he is entitled to consideration under the presumptive clause.

Under the general pension law service connection is required, and in such cases it will be found that it takes the Pension Bureau just as long to determine if the applicant is entitled to recognition as it takes the Veterans' Bureau.

The veterans need have no fear that their interests will not be safe in the hands of an administrator of veterans' affairs because the Congress will see to it that the laws are properly administered.

The gentleman from South Carolina [Mr. GASQUE] read the report of the President's commission.

At the conclusion of the report which the gentleman from South Carolina read, the committee stated that if the President desired, the committee would submit a draft of a bill to carry out its recommendations. I asked the Secretary of the Interior and I asked the Commissioner of Pensions whether the President had ever asked them to submit such a bill. They replied that the President had not, and, therefore, it is evident their report did not receive the approval of the President. I have no right to speak for the President, but we were given to understand that the President is satisfied with this proposed set-up.

Ladies and gentlemen, you are going to hear considerable said about subsection (b) of section 1. The purpose of subsection (b), as was brought out in the hearings, is to enable the administrator of veterans' affairs to coordinate the activities of the various agencies of which he will be the head. For instance, you will have one division of finance where you now have three, you will have one legal division where you now have three. You will have one man to purchase supplies where you now have three, and so on down the line. This is the purpose of that section, and the administrator of veterans' affairs can not go beyond section 7 of this bill, which specifically states that he can not abolish the Pension Bureau, that he can not abolish the soldiers' homes, or the Veterans' Bureau, because it is stated in this section that the laws are to remain intact.

Now, gentlemen, I know something about the way the veterans' relief has been administered. I venture to say that there is no Member in this House, possibly with the exception of the lady from Massachusetts [Mrs. ROGERS] and the gentleman from Wisconsin [Mr. SCHAFER], who have handled more cases in the Veterans' Bureau than I have. The fact is that when the war risk insurance bill was originally enacted I personally filed the first application under that law. I have followed the bureau from that day to this. I have had quarrels with the heads of the Veterans' Bureau; I have had cases reopened three and four times; and I can say that, in my opinion, General Hines is conscientiously trying to follow out the duties imposed upon him by the Congress.

Congress is responsible for the laws as they exist to-day, and General Hines is trying to administer them to the best of his ability.

I have no idea whom the President proposes to make administrator of the veterans' affairs, but I, for one, would be perfectly satisfied to see General Hines in that position. If you will take the burdens off of his shoulders, enough to keep 10 men busy, and let him be the boss of this proposed set-up, you will have an efficient organization. He will have time to organize it properly.

I want to say further that I have had many cases before the Pension Bureau, and I have had some experience in that line. My experience is that it takes just as long to handle a case before the Pension Bureau when there is a question of proving service origin as it does before the Veterans' Bureau. I speak now of a case under the general law.

Mr. KNUTSON. Will the gentleman yield?

Mr. COCHRAN of Missouri. Yes.

Mr. KNUTSON. Did the gentleman ever have a case before the Pension Bureau that has taken two or three years? If he has, I would like to have him state it.

Mr. COCHRAN of Missouri. I have not had any case before the Pension Bureau that has taken two or three years, but I have had several that took six months and possibly a year, cases sent to the field for special examination.

Mr. GASQUE. Mr. Chairman, I yield 20 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, the legislation brought in by the gentleman from South Dakota [Mr. WILLIAMSON] takes me back to the Sixty-fifth Congress, or 13 years ago, when we had up for consideration the measure to establish what was to be known as the War Risk Insurance Bureau, and later changed to the Veterans' Bureau.

I opposed the enactment of that legislation on the ground that it would not meet requirements and that it proposes to embark the Federal Government upon an uncharted sea, which venture might prove to be very expensive.

The legislation to establish the original bureau was passed with but few dissenting votes, mine being among the number. The very things that I foresaw at that time have happened, and I do not believe that there is a Member of this House who will not agree that it would have been much more satisfactory and infinitely cheaper to have applied the old pension system to the World War veterans rather than the system now in vogue. And I dare say that if the proposition were to be resubmitted to Congress it would never get out of committee.

To my mind, this legislation will merely aggravate the situation. The original Williamson bill provided for a consolidation of the Bureau of Pensions and the National Home for Disabled Volunteer Soldiers, in the Veterans' Bureau and under the director thereof. When the hearings were held many appeared in opposition to this legislation, myself among the number. At the time of my appearance before the Expenditures Committee I suggested a coordination of the various activities under one head and a gradual consolidation which could be brought about later without friction.

I observe that Chairman WILLIAMSON has modified his measure in that it creates an administration of veterans' affairs at the head of which will be an administrator. Under this new set-up will be brought the three agencies—the Veterans' Bureau, the Bureau of Pensions, and the National Home for Disabled Volunteer Soldiers. The administrator of veterans' affairs under the bill we now have under consideration would—get this—have the power to consolidate, eliminate, or redistribute the functions of the bureaus, agencies, officers, or activities in the administration of veterans' affairs and to create new ones therein, and by rules and regulations it is proposed that he shall fix the functions thereof and the duties and powers of their respective heads not inconsistent with law. This is in accordance with Subdivision B of section 1 of the measure that we are now considering.

In the report of the committee it is stated that there is no thought of destroying the present set-up in the various agencies, but if language means anything this bill provides that the head of the new department shall have such authority if he desires to use it. The report also states that the line "not inconsistent with law" would prevent the elimination of the Bureau of Pensions. No one can tell just what that provision would mean, but there is no doubt that a consolidation could be brought about in such a manner as to practically eliminate the Bureau of Pensions, even though the name were retained. In other words, it depends entirely upon who will be at the head of the administration of veterans' affairs as to what will be done. Under the bill, if he so desires, the director may cause a consolidation in such a manner as to bring them within the Veterans' Bureau, only that it would probably be called by another name.

As I see it, the new bill is practically the same as originally introduced, save that the name of the Veterans' Bureau has been changed. It is probable that the present system followed in the Veterans' Bureau would be carried into the new set-up for the reason that they are sponsoring the bill and the more than 24,000 employees of that bureau would dominate the situation, as against the 600 clerks of the Bureau of Pensions. Let the House make no mistake. If this legislation is enacted into law, it will result in the elimination or subordination of the Pension Bureau. Those who are opposed to this legislation favor a coordination of the various activities under one head and later consolidation by Congress, instead of vesting the power to bring about such consolidation in the head of the new organization. No one is opposing an ultimate consolidation, but we feel that at this time it will bring about unnecessary confusion when it could be accomplished later without serious objection being raised. When the time comes I propose to offer to this measure several amendments, among others being one to eliminate paragraph (b) of section 1; also to strike out all after the period in line 21, page 2, to and including the word "affairs," in line 3, page 3; also all of paragraph (a), section 5. With these changes the measure would not be so objectionable.

Mr. JOHNSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Gladly.

Mr. JOHNSON of Texas. What the gentleman is interested in and what I am interested in is the effect that this legislation will have in dealing with the rights of those seeking pensions or relief as World War veterans. I would like to get the gentleman's idea. I know his long experience as chairman of the Committee on Pensions qualifies him to express an opinion of value with reference to that. I would like to have his opinion about what effect, if any, this will have on it, whether it will liberalize or restrict the rights of applicants for pensions as World War veterans?

Mr. KNUTSON. I do not think that the passage of this legislation would facilitate in any particular the conduct of business at the Veterans' Bureau.

Mr. WILLIAMSON. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. WILLIAMSON. The language carried in the bill with reference to the National Home, the Veterans' Bureau, and

the Pension Bureau is exactly the same. We are transferring the functions of the head of each to the new administrator of veterans' affairs, and that is all we do. The Pension Bureau remains intact. Its functions and powers will continue as they are to-day. The administrator can not change them.

Mr. KNUTSON. Very well. Let me read to the gentleman paragraph (b) of section 1.

Mr. WILLIAMSON. Oh, I can repeat that by heart.

Mr. KNUTSON. If the gentleman can repeat it without reading, he should not make the statement that he has just made, because I do not think it is illuminating. I will read the paragraph and then I shall leave it to the House to judge whether or not I understand the English language:

(b) Under the direction of the President the administrator of Veterans' Bureau shall have the power, by order or regulation not inconsistent with law, to consolidate—

Mr. JOHNSON of Texas. And eliminate.

Mr. KNUTSON. Yes; eliminate. Eliminate what? The Pension Bureau, of course. I yield to the gentleman from South Dakota to tell us what he means.

Mr. WILLIAMSON. The gentleman was not good enough to read subdivision (a) or he would have seen that he could not eliminate it.

Mr. KNUTSON. Then why put it in paragraph (b)?

Mr. WILLIAMSON. The language is "not inconsistent with law."

Mr. KNUTSON. With what law?

Mr. WILLIAMSON. With the law on the statute books, which we do not change. The administrator can not eliminate a statutory bureau.

Mr. KNUTSON. No; but he can hamstring it.

Mr. JOHNSON of Texas. The statute will permit it to be done.

Mr. KNUTSON. This is a statute which permits him to do anything. He can make mince pie of it if he wants to. [Reading further:]

To consolidate, eliminate, or redistribute the functions of the bureaus, agencies, offices, or activities of the administration of veterans' affairs.

I am not a college graduate and would, therefore, like to hear from some one who has a better understanding of English than I have as to just what the word "eliminate" means. I have yielded to the gentleman from South Dakota [Mr. WILLIAMSON], and he has not allayed my fears one iota.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. KNUTSON. I yield to my good friend from Wisconsin.

Mr. SCHAFER of Wisconsin. Is the gentleman apprehensive that the passage of this bill may result in the consolidation of the Pensions Committee of the House with the World War Veterans' Committee, to handle the veterans' problems? Is he fearful that such a consolidation may result in the elimination of the Pensions Committee and the chairmanship thereof?

Mr. KNUTSON. Oh, that is hardly fair. Let me say to the gentleman from Wisconsin that in the 13 years that I have been here I have had any number of cases in the Pension Bureau and also in the Veterans' Bureau. My experience with the Veterans' Bureau has not been such as to warrant me to vote to further extend the activities of that organization, and when I say that, I have in mind the best interest of those who wore their country's uniform in the World War.

Mr. WILLIAMSON. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. WILLIAMSON. Under subdivision (b)—I do not want to take up the gentleman's time—

Mr. KNUTSON. Oh, that is all right; I am sure the gentleman will give me more time if I need it.

Mr. WILLIAMSON. I read:

Under the direction of the President the Administrator of Veterans' Affairs shall have the power by order or regulation not inconsistent with law, etc.

If the gentleman prefers, the language can be changed to "not created by law."

Mr. KNUTSON. Where is the gentleman reading?

Mr. WILLIAMSON. From page 2, line 10. The only bureaus to which this law applies are the administrative bureaus created by administrative action. It has no application to bureaus created by law—statutory bureaus.

Mr. KNUTSON. The trouble with this bill is that it blows hot and cold, and it leaves it to the one individual as to whether he wants to blow hot or cold. I object to that kind of legislation. That has been the trouble with some of the laws dealing with the Veterans' Bureau throughout. The language of nearly every act that we have passed has been ambiguous and capable

of various constructions. All of us have had compensation cases where apparent injustices have been committed as a result.

Mr. RANKIN. Mr. Chairman, will the gentleman yield right there?

Mr. KNUTSON. Yes.

Mr. RANKIN. If the bill means what the gentleman from South Dakota [Mr. WILLIAMSON] says it does, it does not confer any authority on this new bureau that is not already vested in the Veterans' Bureau or the Pension Bureau.

Mr. WILLIAMSON. The gentleman is substantially correct. We simply consolidate the functions of their respective heads in the new administrator.

Mr. RANKIN. Unless the bureau had the authority to abolish the volunteer soldiers' homes or the Pension Bureau it would not have any authority that the Veterans' Bureau does not have to-day, or that the volunteer soldiers' homes do not have to-day, or that the Pension Bureau does not have now.

If it is intended by this bill to abolish either the Pension Bureau or the volunteer soldiers' homes it must be in the back of their minds that that will be the next move. Unless that motive is back of it I do not see any reason for the passage of the bill.

Mr. KNUTSON. Why, it is plain as the nose on your face that the plan is to consolidate and ultimately to eliminate. First, it is to coordinate; but finally it is to consolidate and ultimately eliminate. Let us make no mistake about it.

Mr. RANKIN. The gentleman from South Dakota spoke of the reorganization of the Veterans' Bureau and the elimination of expenses. That can be done by the President of the United States now under the present organization. I admit that we need a house cleaning in the Veterans' Bureau, but I do not think we can get it by creating a new bureau and more high-salaried officials.

Mr. KNUTSON. Yes. You are proposing to pile too much work on people who have already too much work to attend to.

Now, if I have satisfied the gentleman from South Dakota that the bill means what it says I will proceed. As I see it the only thing to be accomplished under this bill would be a new set-up. That is the reason I am opposed to it. The officials down there in the Veterans' Bureau are the sponsors of this bill.

Mr. WILLIAMSON. The gentleman does not mean to say that the Veterans' Bureau was the place where this bill had its origin?

Mr. KNUTSON. Well, it was born down there. I do not know where the beginning actually took place. There are 24,000 clerks down there, and they are going to dominate the Pension Bureau with its measly 600 clerks.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield there?

Mr. KNUTSON. Yes.

Mr. SCHAFER of Wisconsin. This consolidation was not born in the Veterans' Bureau but in the national conventions of the American Legion, the Disabled American Veterans, and the Veterans of Foreign Wars.

Mr. KNUTSON. I do not know where it was born, but it was conceived down there.

Now, gentlemen of the House, do not make any mistake. If this bill is passed—and I want to go on record now as making a prophecy—if this legislation is passed, it will mean the doing away of the Pension Bureau. The old name may be retained, possibly, but we shall lose that smooth-running and efficient organization that has been serving the soldiers of this Government so well for 100 years. Those of us who oppose this bill do not want to see the Pension Bureau eliminated. We would like to see coordination effected; we would like to see all the activities concerning our veterans consolidated under one head. But we do not mean to let you pass a law that would vest the power to effect that consolidation in the hands of one man. That is the function of Congress, and the function of Congress only. [Applause.]

When the proper time comes, I propose to offer two amendments; one to eliminate paragraph (b) in section 1, and also to strike out all after line 21 on page 2 down to and including line 3 of page 3, and also paragraph (a) of section 5. With those changes made, the bill would not be so objectionable.

Mr. GARBER of Oklahoma. Mr. Chairman, will the gentleman yield there?

Mr. KNUTSON. Yes.

Mr. GARBER of Oklahoma. With those changes, would it be possible for the Veterans' Bureau to absorb the administration of the act?

Mr. KNUTSON. It would.

Mr. GARBER of Oklahoma. Does the gentleman believe that such a possibility should be permitted in an act of this kind?

Mr. KNUTSON. I do not. The thing I am afraid of and would try to prevent is to have all the veterans' activities consolidated in the Veterans' Bureau; and it is to prevent that that I will offer the amendments I have outlined.

Mr. GARBER of Oklahoma. It is with a view of prevention, then?

Mr. KNUTSON. Yes. I would vaccinate this piece of legislation.

Mr. COCHRAN of Missouri. The gentleman is partly responsible for the beneficial features of our veterans' legislation. They are still going to pay pensions allowed under those acts?

Mr. KNUTSON. Oh, I admit that this legislation was conceived with the very highest motives. I do not mean to impugn the motives of those who first thought of it and brought it out here. Far be it from me to question their honesty of purpose.

I believe they have the best interests of the veterans at heart in bringing out this legislation, but I am opposing it in the light of my experience with the two bureaus as I have mentioned.

Will any one present at this time explain to me the necessity for doing away with the Pension Bureau which has been in successful operation for nearly 100 years and which functions with the smoothness and satisfaction of a highly developed organization?

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMSON. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. GASQUE. I also yield the gentleman five additional minutes, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 10 additional minutes.

Mr. GARBER of Oklahoma. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. GARBER of Oklahoma. Is it not generally recognized that the Pension Bureau, as it is now administered and has been for a number of years, is the most simple, economic administration of the affairs of this Government for the promotion of benefits to those to whom we are indebted?

Mr. KNUTSON. Absolutely; and it is very significant, may I say to the gentleman from Oklahoma, that representatives of veterans of wars other than the World War appeared before the committee in opposition to this legislation.

Mr. GARBER of Oklahoma. I am glad to hear that. It shows their good judgment.

Mr. KNUTSON. Why did they appear in opposition? Because they know what they have now, but they do not know what they would get under this new legislation.

Mr. GARBER of Oklahoma. They could not survive if they got anything worse.

Mr. KNUTSON. I am not going to criticize any bureau of my Government. When we criticize them, they say they are acting under laws passed by Congress. If it be true that some of the decisions and practices of the Veterans' Bureau are in accord with the acts of Congress, the Veterans' Committee of this House should bring out legislation correcting the situation and prevent some of the things that are happening daily.

Mr. GARBER of Oklahoma. I do not believe there has been any legislation enacted during the last five or six years except what has been recommended by the Director of the Veterans' Bureau. The great trouble is we have permitted too much authority with rules and regulations in the Veterans' Bureau.

Mr. KNUTSON. It may be that we have been negligent in passing legislation for the guidance of the Veterans' Bureau. Perhaps we have been too free and easy, but when we contrast the method of doing business between the two bureaus, I can not see need for this legislation.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. COCHRAN of Missouri. The gentleman has always been fair and I know he intends to be fair. Will the gentleman please contrast, for the benefit of the Members of the House, the difference in the veterans' law, the Spanish-American War pension law, and the Civil War pension law, one of which requires service connection to be shown and the others do not have such a requirement?

Mr. KNUTSON. The gentleman should hire a lawyer.

Mr. COCHRAN of Missouri. A lawyer is not necessary.

Mr. KNUTSON. The gentleman would not expect anyone in less than three or four hours to contrast the several laws under which the veterans of different wars are receiving pensions.

Mr. COCHRAN of Missouri. It is a very simple matter.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. WILLIAMSON. I entertain a very high regard for the chairman of the Committee on Pensions—

Mr. KNUTSON. And I would like to say I reciprocate that regard. I have a very high regard for the gentleman from South Dakota [Mr. WILLIAMSON].

Mr. WILLIAMSON. I would like to know how the gentleman from Minnesota ever expects that there could be consolidation of any kind if the provision which the gentleman has given notice that he will move to strike out are stricken. If the three departments are going to run along in parallel lines as they are doing to-day, without giving any power to anyone to reorganize them, there is no way of getting anywhere with this proposition. You say you are for consolidation at some future date, why not do it now?

Mr. KNUTSON. May I ask the gentleman what objection would there be to coordinating the Veterans' Bureau, the Pension Bureau, and the Soldiers' Home under an Assistant Secretary of the Interior, for instance?

Mr. WILLIAMSON. The gentleman knows that we have had a coordinator to coordinate these three activities since the early part of the Coolidge administration, and he has accomplished nothing at all, because he is without authority to do anything worth while.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. KNUTSON. My time has about expired, and I can not yield further.

Contrast if you will your experience with the Veterans' Bureau as against the dealings that you have had with the Pension Bureau. If you will but do that, this piece of legislation will be materially modified, and you will save to the ex-service man one agency of the Government that is free from red tape and glaring injustices.

According to the last annual statement issued by the Director of the Budget, only 38 per cent of the total appropriation now made for the United States Veterans' Bureau is being paid out to the veterans and their dependents, whereas 99½ per cent of our appropriations to the Pension Bureau go directly to the veteran. I realize that a comparison is not exactly fair, because of the numerous activities in which the Veterans' Bureau is engaged, but I think that anyone who has visited the Pension Bureau will concede that it is one governmental agency that operates efficiently, smoothly, and cheaply. Why do away with it as you propose to do in this legislation?

The Veterans' Bureau has 24,000 clerks. The Pension Bureau has 600 clerks. It costs the Pension Bureau one-half of 1 per cent to do business. Is it expected that that condition can be improved? Is it hoped to further reduce that one-half of 1 per cent by placing the Pension Bureau under the Veterans' Bureau? Thirty-eight per cent, of course, is a fair comparison, because there are so many varied activities.

In conclusion I want to plead with the House to do nothing that will in any way impair, circumscribe, or restrict the efficiency of the Pension Bureau. I am firmly convinced that if we pass this legislation without adopting the amendments I propose to offer we will all live to regret it, just like we have lived to regret the enactment of the legislation which created the War Risk Insurance Bureau originally. If we had the money that has been squandered down there out at interest we could take care of all the sick, wounded, and disabled of the World War simply on the interest. [Applause.]

The enactment of this legislation as it is now, gentlemen, is like turning the wheels of time backward, and I am going to plead with the House to either amend this bill so as to make it read to mean what the gentleman says he proposes to do or else to defeat it altogether. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. GASQUE. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. MONTET].

Mr. MONTET. Mr. Chairman and gentlemen of the committee, it seems from the opinions voiced on the floor as to the meaning of the provisions of this bill as written that the bill not only regulates, coordinates, and eliminates but also seems to equivocate.

I believe in the consolidation of the activities concerning the veterans. All three activities should be consolidated. I am also firmly convinced that the bill as written actually consolidates all three activities without any question of a doubt. Section 1, paragraph (a) provides that the President is authorized to consolidate and coordinate any hospitals, executive and administrative bureaus, and so forth, and especially includes the Bureau of Pensions, the national homes, and the Veterans' Bureau, into an establishment to be known as the administration of veterans' affairs. Then the first subparagraph of section 1 takes all three of those activities and brings them under one head. That is the

provision of the bill which actually provides for and brings about complete and unquestioned consolidation. Of course, it does not provide the actual consolidation, but gives authority for the President to bring about this consolidation.

I, as well as some other members of the committee, including the gentleman from South Carolina [Mr. Gasque], are at variance with the chairman of our committee as to the extent to which laws relating to those three presently existing activities are affected. I do not agree, nor does the gentleman from South Carolina and other members of the committee agree, with our chairman that this act does not provide authority for the elimination of the three existing bureaus. If I thought that the authority to eliminate those bureaus was not in the bill I would not vote for it, because I am firmly convinced that the affairs of the veterans will be better administered by a complete consolidation than they are under the present set-up.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. MONTET. Yes.

Mr. JOHNSON of Texas. What about the question of delegating authority to consolidate to the executive branch of the Government? Why would it not be better to consolidate by legislation rather than by Executive order?

Mr. MONTET. That is a matter of opinion. And, another thing, I believe that this consolidation may probably be more properly brought about by taking the time necessary to build up the future set-up. If Congress were to consolidate these activities immediately, there would be no time at all to provide for a new set-up, but by giving this authority to the President we will permit the taking of ample time to bring about the new set-up.

What I wanted to discuss with the committee at this time was the meaning of the provisions of the bill as I understand them. I attended every session of the committee, I heard all of the testimony, and I was one of the members of that committee who at first believed that the only thing to do was to coordinate and not to consolidate. But the more I thought about it, the more I was winning my own mind to the other argument, that consolidation was the only thing to do, because coordination was meaningless; coordination would be a mere idle gesture, and we would get nowhere, because if you give a coordinator any kind of authority over these other heads you may just as well have a consolidation.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. GASQUE. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. MONTET. As I say, I felt and still feel that we will get nowhere by coordination; such a plan would be meaningless.

I want to say that I believe the bill actually provides for a complete consolidation. The chairman of the committee has referred, as have some of the preceding speakers, to a sentence in paragraph (b), section 1, which provides that—

Under the direction of the President, the administrator of veterans' affairs shall have the power, by order or regulation not inconsistent with law, to consolidate, eliminate—

And so forth.

But we are making law here that provides for consolidation. Now, it was my purpose when I supported this bill and contributed some little assistance in the writing of some of its provisions to provide that there would be ample authority not only to coordinate and consolidate but, if it becomes necessary and the proper thing to do, to also eliminate, as the bill provides, and I maintain that it is clearly provided in the bill that there is ample authority for the elimination of the Bureau of Pensions, and in so far as the national homes are concerned, the bill does, in effect, actually eliminate the homes, because all of the property and other holdings now held in the corporation known as the National Homes for Disabled Volunteer Soldiers is actually transferred to this new set-up. In this bill we are taking all of the property now held by the national homes and transferring it to the new bureau, and the managers are, by virtue of this bill, shorn of all authority. So, in effect, we are actually doing what I believe should be done. I believe that in granting authority to coordinate, consolidate—or call it whatever you will—we are ultimately looking to and granting full authority and power to the President in due time to eliminate all three of these bureaus and bring them under one head. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. WILLIAMSON. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. Mouser].

Mr. MOUSER. Mr. Chairman and my colleagues of the House, I do not think those who have been studying questions pertaining to the Veterans' Bureau and the Pension Bureau should permit an opportunity to pass without giving the mem-

bership of the House any suggestions they may have upon a matter as important as this.

We might just as well look the facts in the face. Whether it be defects in the law or regulations prescribed by the Veterans' Bureau, there is not a single man or woman in the sound of my voice who does not have cases of worthy World War veterans, who does not understand from experience that it is impossible to receive consideration of these cases because of red tape and technicalities. [Applause.]

We owe it to the taxpayers of this country to see that the veteran receives the benefit of the taxpayer's dollar in so far as it is possible to permit that dollar to be expended in his behalf. I am not finding any particular fault with the head of the Veterans' Bureau or with the personnel, but there must be something wrong with a system where 38 cents out of every dollar that is appropriated goes for administrative and overhead expenses. [Applause.]

Mr. WILLIAMSON. Will the gentleman yield at that point?

Mr. MOUSER. I yield.

Mr. WILLIAMSON. The gentleman is wrong in saying that 39 per cent goes to overhead. As a matter of fact, only 3.72 per cent goes for overhead or administrative expenses. We can not count the running of hospitals and the maintenance of patients as part of the overhead. That is a part of the relief that goes to veterans. The amount of compensation paid to veterans in cash is a minor part of the relief actually extended.

Mr. MOUSER. I understand you can not divide these various activities and say how much expense goes to one and how much expense goes to the other; but with all due consideration, I say to you if that much money, out of the \$600,000,000 that is appropriated, goes for that purpose, there is too much money going for red tape and overhead.

I am not opposing the gentleman's bill, but contrast the 24,000 employees in the Veterans' Bureau with the administration of the Pension Bureau with 600 employees at a cost of only one and a half cents out of every dollar appropriated.

The Pension Bureau sends the applicants to physicians for examination and they have boards in the bureau to consider and to finally review cases. We do not send World War veterans to doctors in their home cities, we send them to doctors that are hired by the Veterans' Bureau, and every one knows you can not get a physician of any standing to work for the Veterans' Bureau for \$3,000 a year. Why not send these boys to physicians in their local communities, keep that money in the community, rather than create a bunch of jobs for people in the Veterans' Bureau?

Mr. KNUTSON. Will the gentleman yield?

Mr. MOUSER. I yield.

Mr. KNUTSON. It is correct, is it not, that it costs in the Veterans' Bureau on the average \$200 to examine an applicant for compensation?

Mr. MOUSER. It is my understanding it costs \$200 per case, most of which goes for red tape and technicalities.

Mr. KNUTSON. As against \$10 in the Pension Bureau?

Mr. MOUSER. As against \$10 in the Pension Bureau.

Mr. O'CONNOR of Louisiana. Will the gentleman yield?

Mr. MOUSER. Yes.

Mr. O'CONNOR of Louisiana. In view of the fact considerable criticism has been directed against the administration of the Veterans' Bureau during the discussion of this bill, it has occurred to me that if the Committee on World War Veterans' Legislation were empowered to consider the individual cases of the veterans and report out on them, this would give the inflexible provisions of the Veterans' Bureau laws a certain degree of elasticity which in all probability would meet a good many of the complaints that are now leveled against that bureau. What does the gentleman think about that?

Mr. MOUSER. I think the Committee on World War Veterans' Legislation should have the same jurisdiction as the Pensions Committee and if a case is turned down in the Veterans' Bureau because of technicalities and red tape, this Congress should review that case, and, when necessary, give redress.

Mr. O'CONNOR of Louisiana. In my judgment, that would be extremely helpful and would give flexibility to the inflexible provisions of the law.

Mr. MOUSER. We have now two bills coming up. There is the Johnson bill and then there are those who believe in the Rankin bill. We have got to do something to liberalize the present law, and why should we keep on voting money for red tape and technicalities? If we had liberal interpretations in many of these cases we would not have the agitation we have now for the Johnson or the Rankin bill. I submit that this is true.

If the Johnson bill is passed—and I will vote for it if I can not get anything better—this means \$160,000,000 of additional expenditure every year. Would it not be better to have the

Pension Bureau, which the commissioner says could handle the matter with 400 additional employees, expend the money appropriated for the veterans of all wars in the form of a pension rather than to permit this system to continue? [Applause.]

Mr. ARNOLD. Will the gentleman yield?

Mr. MOUSER. I yield to the gentleman.

Mr. ARNOLD. Does not the gentleman think that as long as the service-origin provision remains in the law, this will lead to a great deal of red tape and technicality in having these matters properly handled in the Veterans' Bureau; is not that the chief source of trouble?

Mr. MOUSER. There is no question about that, but suppose we pass the Johnson bill. It will bring 200,000 more men within its provisions at an additional cost, the committee report says, of \$100,000,000, but everybody knows it will be practically doubled when it is put into operation.

Mr. ARNOLD. Does not the gentleman think that if we simplified the proceedings to a great extent the amount saved in administration would take care of a great many of these cases?

Mr. MOUSER. There is no question about that. If we had a general pension law for World War veterans, it would only cost \$38,000,000 a year and every cent of it, practically, would go to the veterans.

Mr. O'CONNOR of New York. The gentleman has just spoken of red tape—I was interested yesterday in the statement of the chairman of the committee reporting this bill before the Rules Committee, in which he said that in the Pension Bureau a file in a soldier's case would seldom be over 3 inches thick, while in the Veterans' Bureau a file would often be 3 feet thick. There must be something fundamentally wrong in the Veterans' Bureau when it takes a file 3 feet thick.

Mr. MOUSER. There is no question about its being wrong. They ask a boy to-day to go back and get affidavits from his comrades who served with him in the Army—why, in a great many instances he does not even remember the names of his comrades, and he could not find them if he did remember their names.

But what I am trying to find out is this: Are we going to keep on piling up expenses and then still have worthy cases that can not come within the provisions of the law and ultimately within four or five years have a general pension law for World War veterans? I ask you, Where is the taxpayer going to get off under that kind of a situation? It is our duty not alone to the veterans of the World War but likewise to consider where the dollar is going when it is appropriated.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WILLIAMSON. I yield the gentleman five additional minutes.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. MOUSER. I yield.

Mr. SCHAFER of Wisconsin. With reference to the cost of a medical examination, the committee hearings indicate that it costs \$5 in the Pension Bureau and \$4.22 in the Veterans' Bureau.

Mr. MOUSER. The gentleman can not say in the light of the facts that that statement can not be true for the reason that when a man is examined in the Veterans' Bureau he is examined by a physician in the Veterans' Bureau, and in the Pension Bureau he is examined by a physician at home. You can not figure it out exactly, because in the Veterans' Bureau he is examined by a physician who is paid an annual salary, except where he is ordered to take an examination requiring the services of a specialist.

Now we certainly ought to do something at this time to remove some of this unnecessary expense.

Mr. HALL of Indiana. Will the gentleman yield?

Mr. MOUSER. I will yield.

Mr. HALL of Indiana. Has the gentleman investigated the question of whether this will affect the court system in our State as to the guardianship, and compelling the courts to make reports to the bureau itself?

Mr. MOUSER. I understand that is contemplated if not already done. I state again we have got to consider something that will remove the unnecessary expense. The gentleman from South Dakota, Judge WILLIAMSON, says that his bill will have that effect. If that be true, we should encourage him in that effort. On the other hand, I agree thoroughly with my colleague, the distinguished chairman of the Pension Committee, Mr. KNUTSON, that from the facts which are undeniable we should not permit anything that will disturb the Pension Bureau which is being administered so efficiently at this time.

The Spanish-American War veterans believe in the Pension Bureau, and so do the old Civil War veterans and their de-

pendents. We should insure the integrity of the Pension Bureau by all means.

Mr. COYLE. The gentleman spoke of veterans being compelled to send for affidavits of their comrades during the war service. I have had an experience where they have gone out and got the affidavits and then they were pigeonholed as of no value in the Veterans' Bureau.

Mr. MOUSER. I have had the same experience, and I do not want it understood that I am criticizing the integrity of the Director of the Veterans' Bureau or the personnel. I think the facts before us show there is too much red tape and technicalities, and there is not a man or woman here who does not know that from actual experience.

Mr. COYLE. The gentleman's statement was clear that 38 cents out of every dollar was spent on administration and 62 cents goes in a direct benefit to the veterans. I think that was a very clear and powerful statement.

Mr. MOUSER. That was our understanding.

Mr. COYLE. Does the gentleman not feel that the 38 cents could be cut in half?

Mr. MOUSER. I think so, certainly; and I hope this consolidation bill will do it. If the integrity of the Pension Bureau can be secured in this bill, I shall vote for it. If I thought that there was a doubt that this Pension Bureau, which has been set up and is being administered so efficiently now in the hands of Mr. Church, was going to be placed with the Veterans' Bureau, then I would be compelled to vote against the bill.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MOUSER. Yes.

Mr. SCHAFER of Wisconsin. The gentleman does not want to be unfair. I wish he would explain to the House where he got this figure of 38 cents.

Mr. MOUSER. We have had that before our committee.

Mr. SCHAFER of Wisconsin. That is absolutely incorrect. If the gentleman will refer to the hearings, he will find that 3.72 cents out of every dollar is the amount going for overhead.

Mr. KNUTSON. The gentleman from Ohio got that out of the director's own report.

Mr. MOUSER. We have had statements of that kind repeatedly.

Mr. KNUTSON. Thirty-eight cents of every dollar goes to overhead.

Mr. WILLIAMSON. The gentleman is confusing the compensation paid to veterans with hospital expenses and taking care of sick people. There are 20,000 patients in hospitals, and you call the cost of maintaining them overhead.

Mr. KNUTSON. It is overhead.

Mr. WILLIAMSON. Only 3.72 cents out of every dollar goes to overhead—that is, for administrative expense.

Mr. MOUSER. Does it not stand to reason that something is wrong, whatever comparison you make, when you take into consideration the number of men on the pension rolls in the Pension Bureau and the number of World War veterans receiving compensation, separating your compensation from your hospitalization and your homes, and find that 600 men are administering the Pension Bureau whereas 24,000 are administering the Veterans' Bureau.

Mr. SCHAFER of Wisconsin. It is not unusual.

Mr. MOUSER. If it is a fact that that many men have to be employed to consider whether a veteran is worthy or not, then there is too much red tape and technicality, and it is time it was eliminated, if we are going to give the boys justice. [Applause.]

Mr. SCHAFER of Wisconsin. The Pension Bureau does not include in its cost of expenditures the construction of hospitals, insurance, adjusted compensation, salaries of nurses and hospital doctors, subsistence for hospitals, and so forth.

Mr. MOUSER. I think I distinguished that in my statement.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

(By unanimous consent, Mr. MOUSER was granted leave to extend his remarks in the RECORD.)

Mr. WILLIAMSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON having resumed the chair as Speaker pro tempore, Mr. HALE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10630 and had come to no resolution thereon.

PENSIONS

Mr. ELLIOTT. Mr. Speaker, I submit for printing under the rule a conference report on the bill H. R. 7960, granting pen-

sions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. WAINWRIGHT, until April 14, on account of important family business.

SENATE BILLS REFERRED

A bill and joint resolution of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 2814. An act to authorize the erection of a suitable statue of Maj. Gen. George W. Goethals within the Canal Zone; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 49. Joint resolution to provide for the national defense by the creation of a corporation for the operation of the Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes; to the Committee on Military Affairs.

ADJOURNMENT

Mr. WILLIAMSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 36 minutes p. m.) the House adjourned to meet to-morrow, Wednesday, April 9, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, April 9, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

Continuing the investigation relative to ownership and the control or capital of persons or property in interstate commerce as provided in House Resolution 114.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10.30 a. m.)

To consider proposals for veterans' hospitals in Minnesota and Michigan.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

397. A letter from the Secretary of the Treasury, transmitting a draft of a proposed amendment to section 169 of the Revised Statutes (U. S. C., title 5, sec. 43); to the Committee on Expenditures in the Executive Departments.

398. A letter from the chief scout executive of Boy Scouts of America, transmitting a copy of the Twentieth Annual Report of the Boy Scouts of America (H. Doc. No. 338); to the Committee on Education and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GIFFORD: Committee on Election of President, Vice President, and Representatives in Congress. H. J. Res. 292. A joint resolution proposing an amendment to the Constitution of the United States; without amendment (Rept. No. 1105). Referred to the House Calendar.

Mr. GRAHAM: Committee on the Judiciary. H. Res. 204. A resolution concerning the investigation of Grover M. Moscovitz, United States judge, eastern district of New York. (Rept. No. 1106). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 531. A bill for the relief of John Malka; with amendment (Rept. No. 1095). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 575. A bill for the relief of Mary A. Cox; with amendment (Rept. No. 1096). Referred to the Committee of the Whole House.

Mr. CLARK of North Carolina: Committee on Claims. H. R. 3238. A bill for the relief of Martin E. Riley; without amendment (Rept. No. 1097). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 3732. A bill for the relief of Fernando Montilla; without amendment (Rept. No. 1098). Referred to the Committee of the Whole House.

Mr. CHRISTGAU: Committee on Claims. H. R. 4176. A bill to extend the benefits of the employees' compensation act of September 7, 1916, to Dr. Charles W. Reed, a former employee of the United States Bureau of Animal Industry, Department of Agriculture; without amendment (Rept. No. 1099). Referred to the Committee of the Whole House.

Mr. CLARK of North Carolina: Committee on Claims. H. R. 5801. A bill for the relief of Henry A. Richmond; without amendment (Rept. No. 1100). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 5872. A bill for the relief of Ray Wilson; without amendment (Rept. No. 1101). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 6080. A bill for the relief of the Southern Railway Co.; without amendment (Rept. No. 1102). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 6665. A bill for the relief of B. C. Glover; with amendment (Rept. No. 1103). Referred to the Committee of the Whole House.

Mr. DRANE: Committee on Naval Affairs. H. R. 4159. A bill for the relief of Harry P. Lewis; with amendment (Rept. No. 1104). Referred to the Committee of the Whole House.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 9267. A bill for the relief of John A. Fay; without amendment (Rept. No. 1107). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 11481) providing a nautical school at the port of Newport News, Va.; to the Committee on Naval Affairs.

By Mr. CLARK of North Carolina: A bill (H. R. 11482) to provide for the commemoration of the Battle of Fort Fisher, N. C.; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 11483) to amend section 6 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. DOUGLASS of Massachusetts: A bill (H. R. 11484) to provide for payment of the cost of pilgrimages to European cemeteries to certain mothers and widows of members of the military and naval forces of the United States unable to make such pilgrimage; to the Committee on Military Affairs.

By Mr. BRUNNER: A bill (H. R. 11485) to provide for extending the time within which World War veterans can make application for filing claims as a result of war injuries or service up to and including April 6, 1931; to the Committee on Ways and Means.

By Mr. HALE: A bill (H. R. 11486) to amend section 95 of the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: A bill (H. R. 11487) to amend section 112 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary"; to the Committee on the Judiciary.

By Mr. WILLIAMSON: A bill (H. R. 11488) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof, approved July 3, 1926; to the Committee on the Civil Service.

By Mr. HILL of Alabama: A bill (H. R. 11489) to provide for the commemoration of certain military historic events, and for other purposes; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 11490) granting a pension to George C. Reynolds; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 11491) granting an increase of pension to Marietta McCormick; to the Committee on Invalid Pensions.

By Mr. CHRISTGAU: A bill (H. R. 11492) to extend the benefits of the civil service retirement act of July 3, 1926, to Fannie Jansick, a former post-office employee; to the Committee on Claims.

By Mr. CONNERY: A bill (H. R. 11493) to reimburse Lieut. Col. Charles F. Sargent; to the Committee on War Claims.

Also, a bill (H. R. 11494) for the relief of Daniel Joseph Hartie; to the Committee on Naval Affairs.

By Mr. COYLE: A bill (H. R. 11495) granting an increase of pension to Ethel Sharp Griswold; to the Committee on Pensions.

By Mr. CRAMTON: A bill (H. R. 11496) granting an increase of pension to Sarah Smith; to the Committee on Invalid Pensions.

By Mr. GRAHAM: A bill (H. R. 11497) granting a pension to William B. Savage; to the Committee on Pensions.

By Mr. HOWARD: A bill (H. R. 11498) granting a pension to Louisa Brasch; to the Committee on Invalid Pensions.

By Mrs. McCORMICK of Illinois: A bill (H. R. 11499) granting a pension to David C. McDonald; to the Committee on Pensions.

By Mr. MONTET: A bill (H. R. 11500) granting a pension to Emma Graham; to the Committee on Invalid Pensions.

By Mr. MOONEY: A bill (H. R. 11501) granting a pension to Ann E. Marrell; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 11502) granting an increase of pension to Julia A. Bugbee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11503) granting a pension to Charles H. Dobbin; to the Committee on Pensions.

Also, a bill (H. R. 11504) granting an increase of pension to Mary Norton; to the Committee on Invalid Pensions.

By Mrs. ROGERS: A bill (H. R. 11505) granting an increase of pension to Annie Sawyer; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 11506) granting an increase of pension to Mary D. Ray; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 11507) granting an increase of pension to Nancy J. Walter; to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 11508) for the relief of Anna L. Auchenbach; to the Committee on Claims.

By Mr. HALL of Indiana: Joint resolution (H. J. Res. 294) for the appointment of Maj. A. Seiberling, of Indiana, as a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6602. By Mr. BACON: Petition of citizens of Islip Terrace, N. Y., in favor of increased pensions for Spanish War veterans; to the Committee on Pensions.

6603. Also, petition of Post Office Square Club, No. 278 (Inc.), New York City, favoring the so-called short Saturday workday for postal employees; to the Committee on the Post Office and Post Roads.

6604. By Mr. BOYLAN: Resolution adopted at a meeting of the Post Office Square Club, New York City, urging the early passage of the Kendall-La Follette shorter workday bill; to the Committee on the Post Office and Post Roads.

6605. By Mr. CONNERY: Petition of citizens of Lynn, Mass., asking for increase in pension for Spanish War veterans; to the Committee on Pensions.

6606. By Mr. DAVENPORT: Petition of Common Council of the City of Little Falls, N. Y., favoring the enactment of House Joint Resolution 167, for the purpose of making October 11 a national memorial day in honor of Gen. Casimir Pulaski, Revolutionary hero; to the Committee on the Judiciary.

6607. By Mr. DOUGLAS of Arizona: Petition signed by Orion E. Schupp and William Elliot Arnold, in support of legislation providing increased pensions to men who served in the forces of the United States during the Spanish War; to the Committee on Pensions.

6608. By Mr. FITZGERALD: Petition of 64 citizens of Dayton, Ohio, praying for early consideration and passage of a bill to increase the pensions of Spanish War veterans; to the Committee on Pensions.

6609. By Mr. FITZPATRICK: Petition of the Post Office Square Club, No. 278, of New York City, urging prompt and favorable action on House bill 6603, providing for a short workday on Saturdays for postal employees; to the Committee on the Post Office and Post Roads.

6610. By Mr. GARBER of Oklahoma: Petition of National Women's Trade Union League of America, Chicago, in support

of House bill 10574; definitely opposing House bill 9888; to the Committee on Interstate and Foreign Commerce.

6611. Also, petition of United States veterans' hospital, Sunmount, N. Y., urging support of amendment to World War veterans' act; to the Committee on World War Veterans' Legislation.

6612. Also, petition of Oklahoma City Chamber of Commerce, indorsing amendment to section 552 of tariff act; to the Committee on Ways and Means.

6613. Also, petition of the Oklahoma Farmer Stockman, Oklahoma City, Okla., urging removal of tariff on arsenic and sodium chlorate; to the Committee on Ways and Means.

6614. By Mr. GRANFIELD: Petition signed by Arthur M. Partridge and 20 other residents of Springfield, Mass., and vicinity, favoring the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6615. By Mr. JOHNSON of Texas: Petition of Gen. Jacob F. Wolters, of Houston, Tex., indorsing House bill 10478, providing for certain amendments to the national defense act; to the Committee on Military Affairs.

6616. By Mr. KENDALL of Kentucky: Petition of the citizens of Russell, Greenup County, Ky., submitted by H. C. Barnhard, Russell, Ky., in which they urge that legislation be enacted favorably affecting the Spanish-American War veterans and their dependents; to the Committee on Pensions.

6617. By Mr. KORELL: Petition of residents of Multnomah County, Oreg., advocating the passage of House bill 8976; to the Committee on Pensions.

6618. By Mr. KVALE: Petition of the executive committee of the League of Women Voters, Olivia, Minn., urging passage of House bill 10574; to the Committee on Interstate and Foreign Commerce.

6619. By Mr. LINDSAY: Petition of the Post Office Square Club, New York, N. Y., consisting of 1,000 members, appealing for support of the Kendall bill for shorter Saturdays for postal clerks; to the Committee on the Post Office and Post Roads.

6620. By Mr. LUDLOW: Petition of citizens of Indiana, in favor of legislation to increase the pensions of veterans of the Spanish-American War; to the Committee on Pensions.

6621. By Mrs. McCORMICK of Illinois: Petition of sundry citizens of the State of Illinois, urging favorable consideration of legislation for the relief of Spanish-American War veterans and widows of veterans; to the Committee on Pensions.

6622. By Mr. McMILLAN: Petition of citizens of Colleton County, S. C., urging passage of Senate bill 476 and House bill 2562, granting pensions to Spanish-American War veterans; to the Committee on Pensions.

6623. By Mr. MOORE of Kentucky: Petition of citizens of Butler County, Ky., urging passage of legislation providing for increased rates of pension to men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6624. By Mr. NEWHALL: Memorial of the council of the city of Bellevue, State of Kentucky, for the passage of House Joint Resolution 167, directing the President to proclaim October 11 of each year General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

6625. By Mr. NIEDRINGHAUS: Petition of James R. Steuart and 19 other citizens of St. Louis County, Mo., urging passage of House bill 2562, to provide an adequate pension for the men who served during the Spanish-American War and the incident insurrection; to the Committee on Pensions.

6626. Also, petition of Richard Gasta and 29 other citizens of St. Louis and St. Louis County, Mo., urging passage of House bill 2562, to provide an adequate pension for the men who served during the Spanish-American War and the incident insurrections; to the Committee on Pensions.

6627. Also, petition of Thomas C. Gates and 38 other citizens of St. Louis and St. Louis County, Mo., urging speedy consideration and passage of Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served during the Spanish War period; to the Committee on Pensions.

6628. By Mr. O'CONNELL of New York: Petition of the Post Office Square Club, New York City, favoring the passage of the La Follette-Kendall short Saturday workday bill, S. 2540 and H. R. 6603, providing that postal employees be granted compensatory time off on one of the five days succeeding Saturday on which they are required to perform service in excess of four hours; to the Committee on the Post Office and Post Roads.

6629. By Mr. OSIAS: Petition signed by the following persons from the municipality of Calbayog, Province of Samar, P. I., to wit: Pio Acopio and 19 others, urging the passage of

Senate bill 476 and House bill 2562; to the Committee on Pensions.

6630. Also, petition signed by the following persons from the municipality of Isabella, Occidental Negros, P. I., to wit: Fernando Quindo and 23 others, urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6631. Also, petition signed by Adolfo Ovario, Saplan, Capiz, and 20 others from Bulalacao, Mindoro, P. I., urging the speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6632. Also, petition signed by Candido Pumo, Segundo Conde, Sergio Pulga, Francisco Novida, Francisco Requis, Agaton Casilan, Bonifacio Salazar, and Benigno Novida, urging speedy passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6633. Also, petition signed by Proceso de Ocampo, San Felipe, Zambales; Vicente Tadeo, S. Narciso, Zambales; Ambrosio F. Bada, Cabangan, Zambales; Celestino Arbis, S. Felipe, Zambales; Victor Fera, S. Felipe, Zambales; Leocadio Fontecha, S. Felipe, Zambales; L. Ruiz, S. Narciso, Zambales; Tomas Aquino, Iba, Zambales; Eugenio Domingo, S. Felipe, Zambales; Eusebio Cabristante, Olongapo, Zambales; Tomas Palacpac, S. Narciso, Zambales; Calmacio Mendares, S. Felipe, Zambales; Pablo Dayap, Botolan, Zambales; Pedro Falloran, Cabangan, Zambales; Flaviano Esposo, Iba, Zambales; Rufo Falloran, Cabangan, Zambales; Manuel Trapsi, S. Felipe, Zambales; and Paulo Omipig, S. Marcelino, Zambales, urging speedy passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6634. Also, petition signed by the following persons from the Municipality of Cuyo, Province of Palawan, P. I.: Ramon Magbana and 17 others, urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6635. By Mr. PATMAN: Petition signed by C. C. Carriker, of Hughes Springs, and 53 other citizens of Texas, urging the enactment of Senate bill 1468, to amend the food and drugs act, of June 30, 1906; to the Committee on Interstate and Foreign Commerce.

6636. By Mr. SANDERS of New York: Petition signed by John H. Mattil and 58 other citizens of Rochester, N. Y., urging passage of legislation to increase the pension of veterans of the war with Spain; to the Committee on Pensions.

6637. Also, petition signed by Grant Fletcher and about 56 other citizens of Hemlock and Livonia, N. Y., urging passage of legislation to increase the pension of veterans of the war with Spain; to the Committee on Pensions.

6638. By Mr. SHORT of Missouri: Petition of citizens of Willow Springs, Mo., urging the passage of House bill 2562 and Senate bill 476, increasing the pension of Spanish War veterans; to the Committee on Pensions.

6639. By Mr. SHOTT of West Virginia: Petition of Clarence H. Bowling and 72 other citizens of Matoaka and Mercer County, W. Va., urging the passage of pension legislation for Spanish War veterans; to the Committee on Pensions.

6640. Also, memorial of District Superintendents' Association of West Virginia, urging legislation to aid the States in trade and industrial education and vocational rehabilitation; to the Committee on Education.

6641. Also, petition of 50 citizens of Mercer County, W. Va., urging the passage of pension legislation for Spanish War veterans; to the Committee on Pensions.

6642. By Mr. WOLVERTON of West Virginia: Petition of the District Superintendents' Association of West Virginia, under date of March 13, 1930, a resolution giving unanimous indorsement to the proposed legislation giving additional aid to the several States for trade and industrial education and vocational rehabilitation, and urging Congress to take favorable action on same; to the Committee on Education.

SENATE

WEDNESDAY, April 9, 1930

(Legislative day of Tuesday, April 8, 1930)

The Senate met at 12 o'clock meridian in open executive session, upon the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Borah	Connally	Frazier
Ashurst	Bratton	Copeland	George
Barkley	Brookhart	Conzens	Gillett
Bingham	Broussard	Dale	Glass
Black	Capper	Dill	Glenn
Blaine	Caraway	Fess	Goff

Goldsborough	Kean	Pittman
Gould	Kendrick	Ransdell
Greene	Keyes	Robinson, Ind.
Grundy	McCulloch	Robison, Ky.
Hale	McKellar	Schall
Harris	McNary	Sheppard
Harrison	Metcalf	Shipstead
Hatfield	Norbeck	Shortridge
Hayden	Norris	Simmons
Hebert	Nye	Smoot
Hedlin	Oddie	Steck
Howell	Overman	Steiner
Johnson	Phipps	Stephens
Jones	Pine	Sullivan

Thomas, Idaho
Thomas, Okla.
Townsend
Trammell
Tydings
Vandenberg
Wagner
Walcott
Walsh, Mass.
Walsh, Mont.
Watson
Wheeler

Mr. BLAINE. I desire to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Missouri [Mr. HAWES], the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I also wish to announce that the junior Senator from Tennessee [Mr. BROCK] and the junior Senator from South Carolina [Mr. BLEASE] are absent because of illness in their families.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

Mr. NORBECK. I wish to announce that my colleague [Mr. McMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

CHANGE IN DATE OF INAUGURATION

Mr. NORRIS. Mr. President, as in legislative session, I wish to make a unanimous-consent request. I ask unanimous consent to submit and have read a Senate resolution.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the resolution.

The Chief Clerk read the resolution (S. Res. 245), as follows:

Whereas on the 7th day of June, 1929, the Senate passed S. J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President, Vice President, and Members of Congress and fixing the time of the assembling of Congress; and

Whereas on the 8th day of June, 1929, by an official message from the Senate, the House of Representatives was duly notified thereof and said resolution so passed was properly certified and delivered to the House of Representatives by the duly authorized agent of the Senate; and

Whereas the Speaker of the House of Representatives has retained possession of said joint resolution, has not referred the same to any committee of the House of Representatives, and no action whatever has been taken thereon by the House of Representatives or by the Speaker, and the said resolution is still upon the Speaker's desk of the House of Representatives; and

Whereas the retention of said joint resolution by the Speaker for 10 months, without referring the same to a committee of the House of Representatives and without taking any other action thereon is a discourtesy to the Senate and establishes a precedent which, if carried to its logical conclusion, will bring misunderstanding between the co-ordinate branches of the Congress and will result not only in a failure to act upon important matters of national legislation but will destroy the harmony, confidence, and respect which should exist between the two coordinate branches of our National Legislature: Therefore, be it

Resolved, That the Vice President is hereby directed to appoint a committee of five Senators to look into the matter above referred to and to report to the Senate what action if any should be taken in the premises.

Mr. NORRIS. Mr. President, unless there be some Senator who wishes to examine the resolution and in order to reach the purpose I have in view, I ask unanimous consent for the present consideration of the resolution.

Mr. McNARY. Mr. President, I am not objecting to the merit of the proposal at all—

Mr. NORRIS. I have no objection to delaying the consideration of the resolution if the Senator from Oregon desires to examine it.

Mr. McNARY. But there are a number of Senators who are absent, being out of the city, and I think, under the rule, the resolution should go over.

The VICE PRESIDENT. Under the rule, the resolution will go over.

The Senate is in executive session, and the Secretary will state the first nomination on the calendar.

Mr. DILL. Mr. President, I desire to make some remarks, if it is now in order.